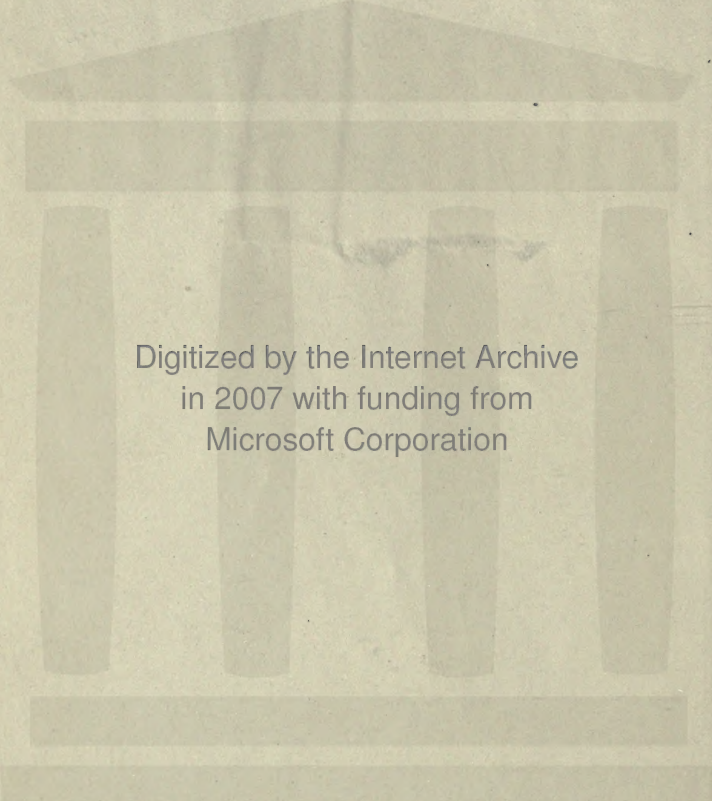


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RELATING TO

COMMERCE AND NAVIGATION

BETWEEN

GREAT BRITAIN AND FOREIGN POWERS,

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ON

JULY 1, 1907.

[WITH SUPPLEMENT.]



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COMMERCE AND NAVIGATION

BETWEEN

GENERAL

GREAT BRITAIN AND FOREIGN

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N.B.—Although assistance is given towards this compilation from public funds on the ground of its general utility, it must be understood that it is not an official publication, and that the Editor is responsible for its contents.

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—	Dec. 14, 1900	Additional Act. Industrial Property (see GENERAL)	Same duration as Convention of March 20, 1883	387
—	Mar. 5, 1902	Convention. Sugar Bounties, &c. (see GENERAL)	September 1, 1908; and then after 12 months' notice	395
—	Apr. 7, 1906	Act. Algeciras Conference. Affairs of Morocco (see GENERAL)	No time fixed ..	408

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172	Oct. 21, 1661	Treaty. Peace and Commerce..	Ditto	893
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174	July 18, 1812	Treaty. Renewing old Treaties	903
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—	Mar. 5, 1902	Convention. Sugar Bounties, &c. (see GENERAL)	September 1, 1908; and then after 12 months' notice	395

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ABYSSINIA.

No. 1.

TREATY BETWEEN GREAT BRITAIN AND ETHIOPIA.

*Signed at Adis Abbaba, May 14, 1897.**

[Ratified by the Queen, July 28, 1897.]

HER Majesty Victoria, by the grace of God Queen of Great Britain and Ireland, Empress of India, and His Majesty Menelek II, by the grace of God King of Kings of Ethiopia, being desirous of strengthening and rendering more effective and profitable the ancient friendship which has existed between their respective kingdoms;

Her Majesty Queen Victoria having appointed as her Special Envoy and Representative to His Majesty the Emperor Menelek II, James Rennell Rodd, Esq., Companion of the Most Distinguished Order of St. Michael and St. George, whose full powers have been found in due and proper form, and His Majesty the Emperor Menelek, negotiating in his own name as King of Kings of Ethiopia, they have agreed upon and do

* Signed also in Amharic.

conclude the following Articles, which shall be binding on themselves, their heirs and successors :—

ARTICLE I.

Freedom of Travel and Commerce.—Entry of Armed Bands.

The subjects of or persons protected by each of the Contracting Parties shall have full liberty to come and go and engage in commerce in the territories of the other, enjoying the protection of the Government within whose jurisdiction they are; but it is forbidden for armed bands from either side to cross the frontier of the other on any pretext whatever without previous authorization from the competent authorities.

ARTICLE II.

Boundaries of Somaliland.

The frontiers of the British Protectorate on the Somali Coast recognized by the Emperor Menelek shall be determined subsequently by exchange of notes between James Rennell Rodd, Esq., as Representative of Her Majesty the Queen, and Ras Maconen, as Representative of His Majesty the Emperor Menelek, at Harrar. These notes shall be annexed to the present Treaty, of which they will form an integral part, so soon as they have received the approval of the High Contracting Parties, pending which the *status quo* shall be maintained.

ARTICLE III.

Zeyla-Harrar Caravan Route.

The caravan route between Zeyla and Harrar by way of Gildessa shall remain open throughout its whole extent to the commerce of both nations.

ARTICLE IV.

Import Duties, Taxation, &c.—Most-favoured-nation Treatment.

His Majesty the Emperor of Ethiopia, on the one hand, accords to Great Britain and her Colonies, in respect of import duties and local taxation, every advantage which he may accord to the subjects of other nations.

Free passage through Zeyla of Goods for Ethiopia.

On the other hand, all material destined exclusively for the service of the Ethiopian State shall, on application of His Majesty the Emperor, be allowed to pass through the port of Zeyla into Ethiopia free of duty.

ARTICLE V.

Transit of Fire-arms, &c., for Emperor of Ethiopia through British Territories.

The transit of fire-arms and ammunition destined for His Majesty the Emperor of Ethiopia through the territories depending on the Government of Her Britannic Majesty is authorized, subject to the conditions prescribed by the General Act of the Brussels Conference, signed the 2nd July, 1890.

ARTICLE VI.

Transit of Arms, &c., for Mahdists through Ethiopia.

His Majesty the Emperor Menelek II, King of Kings of Ethiopia, engages himself towards the Government of Her Britannic Majesty to do all in his power to prevent the passage through his dominions of arms and ammunition to the Mahdists, whom he declares to be the enemies of his Empire.

Ratification.

The present Treaty shall come into force as soon as its ratification by Her Britannic Majesty shall have been notified to the Emperor of Ethiopia, but it is understood that the prescriptions of Article VI shall be put into force from the date of its signature.

In faith of which His Majesty Menelek II, King of Kings of Ethiopia, in his own name, and James Rennell Rodd, Esq., on behalf of Her Majesty Victoria, Queen of Great Britain and Ireland, Empress of India, have signed the present Treaty, in duplicate, written in the English and Amharic languages identically, both texts being considered as official, and have thereto affixed their seals.

Done at Adis Abbaba, the 14th day of May, 1897.

(L.S.) (Signed) JAMES RENNELL RODD.

(Seal of His Majesty the Emperor Menelek II.)

Annexes to Treaty signed at Adis Abbaba on the 14th May, 1897, by His Majesty the Emperor Menelek, and by Mr. James Rennell Rodd.

Annex 1.

Mr. Rodd to the Emperor Menelek.

Your Majesty, Adis Abbaba, May 14, 1897.

WITH reference to Article II of the Treaty which we are to sign to-day, I am instructed by my Government, in the event of a possible occupation by Ethiopia of territories inhabited by tribes who have formerly accepted and enjoyed British protection in the districts excluded from the limits of the British Protectorate on the Somali Coast, as recognized by your Majesty, to bring to your knowledge the desire of Her Majesty the Queen to receive from your Majesty an assurance that it will be your special care that these tribes receive equitable treatment, and are thus no losers by this transfer of suzerainty.

In expressing the hope that your Majesty will enable me to give this assurance, I have, &c.

(Signed) RENNELL RODD.

The Emperor Menelek to Mr. Rodd.

(Translation.)

The Conquering Lion of the Tribe of Judah, Menelek II, by the grace of God King of Kings of Ethiopia, to Mr. Rennell Rodd, Envoy of the Kingdom of England.

Peace be unto you.

YOUR letter, written in Genbot 1889, respecting the Somalis, has reached me. With regard to the question you have put to me, I give you the assurance that the Somalis who may by boundary arrangements become subjects of Ethiopia shall be well treated and have orderly government.

Written at Adis Abbaba, the 6th Genbot, 1889 (14th May, 1897).

(Seal of His Majesty the Emperor Menelek II.)

Annex 2.

The Emperor Menelek to Mr. Rodd.

(Translation.)

From Menelek II, by the grace of God King of Kings of Ethiopia, Conquering Lion of the Tribe of Judah.

May this reach James Rennell Rodd.

Peace be unto you.

WITH reference to the Treaty which we have written in

the Amharic and English languages at Adis Abbaba, as I have no interpreter with me who understands the English language well enough to compare the English and Amharic version, if by any possibility in the future there should ever be found any misunderstanding between the Amharic and English versions in any of the Articles of this Treaty, let this translation, which is written in the French language, and which I inclose in this letter, be the witness between us, and if you accept this proposal, send me word of your acceptance by letter.

Dated 7th Genbot, 1889 (14th May, 1897).

(Seal of His Majesty the Emperor Menelek II.)

Inclosure in above Letter.

(Traduction.)

SA Majesté Victoria, par la grâce de Dieu Reine de la Grande-Bretagne et d'Irlande, Impératrice des Indes, et Sa Majesté Ménélek II, Roi des Rois d'Éthiopie, désireux de fortifier et de rendre plus efficace et avantageuse l'ancienne amitié qui existe entre les deux Royaumes :

Sa Majesté la Reine Victoria ayant nommé comme son Envoyé Extraordinaire et Représentant auprès de Sa Majesté l'Empereur Ménélek, James Rennell Rodd, Esquire, Compagnon de l'Honorable Ordre de Saint-Michel et Saint-George, dont les pleins pouvoirs ont été reconnus en bonne et due forme ; et

Sa Majesté l'Empereur Ménélek, agissant en son propre nom comme Roi des Rois d'Éthiopie ;

Se sont accordés sur, et ont conclu, les Articles qui suivent, par lesquels ils s'engagent eux-mêmes, ainsi que leurs héritiers et successeurs :—

ARTICLE I.

Les sujets et protégés de chacune des deux Parties Contractantes auront pleine liberté d'entrer, de sortir, et d'exercer leur commerce dans les territoires de l'autre, jouissant de la protection du Gouvernement sous la juridiction duquel ils se trouvent, mais il est défendu aux bandes armées d'une part ainsi que de l'autre de traverser les frontières du voisin sous un prétexte quelconque sans permission préalable des autorités compétentes.

ARTICLE II.

Les frontières du Protectorat Britannique sur la Côte des Somalis, reconnues par Sa Majesté l'Empereur Ménélek, seront réglées ultérieurement par échange de notes entre James Rennell Rodd, Esquire, comme Représentant de Sa Majesté la Reine, et Ras Meconen, comme Représentant de Sa Majesté

l'Empereur Ménélek au Harrar. Ces notes seront annexées au présent Traité, dont elles formeront partie intégrale sitôt qu'elles ont été approuvées par les Hautes Parties Contractantes. En attendant, le *statu quo* sera maintenu.

ARTICLE III.

Il est convenu que la route des caravanes entre Zeïla et le Harrar par voie de Gildessa restera ouverte dans tout son parcours au commerce des deux nations.

ARTICLE IV.

Sa Majesté l'Empereur d'Éthiopie de son côté accordera à la Grande-Bretagne et ses Colonies en ce qui concerne droits de douane et impôts intérieurs tous les avantages qu'il accordera aux sujets d'autres nations. De l'autre côté, tout matériel destiné exclusivement au service de l'État Éthiopien aura le droit de passer en Éthiopie par le port de Zeïla en franchise de douane sur demande de Sa Majesté l'Empereur.

ARTICLE V.

Le transit de tous les engins de guerre destinés à Sa Majesté l'Empereur d'Éthiopie est autorisé à travers les territoires dépendant du Gouvernement de Sa Majesté Britannique sous les conditions prescrites par l'Acte Général de la Conférence de Bruxelles signé le 2 Juillet, 1890.

ARTICLE VI.

Sa Majesté Ménélek II, Roi des Rois d'Éthiopie, s'engage, vis-à-vis du Gouvernement Britannique, à empêcher de son mieux le passage à travers de son Empire des armes et munitions aux Mahdistes, qu'il déclare ennemis de son Empire.

Le présent Traité entrera en vigueur sitôt que la ratification de Sa Majesté Britannique sera notifiée à Sa Majesté l'Empereur d'Éthiopie, mais il est entendu que les prescriptions de l'Article VI seront mises en exécution à partir du jour de sa signature.

En foi de quoi Sa Majesté Ménélek II, Roi des Rois d'Éthiopie, en son propre nom, et Rennell Rodd, Esquire, pour Sa Majesté Victoria, Reine de la Grande-Bretagne et d'Irlande, Impératrice des Indes, ont signé le présent Traité, fait en deux exemplaires, écrit en Anglais et en Amharique identiquement,

les deux textes étant considérés comme officiels, et y ont affixé leurs sceaux.

Fait à Adis Abbaba, le 14 Mai, 1897.

(Seal of His Majesty the Emperor Menelek II.)

Mr. Rodd to the Emperor Menelek.

Your Majesty, *Adis Abbaba, May 14, 1897.*

I HAVE the honour to acknowledge the receipt of your Majesty's letter inclosing the French translation of the Treaty which we are to sign this day in English and Amharic, and I agree, on behalf of my Government, to the proposal of your Majesty, that, in case a divergency of opinion should arise hereafter as to the correct interpretation to be given either to the English or Amharic text, the French translation, which has been agreed to on both sides as adequate, should be accepted as furnishing a solution of the matter under dispute.

In recording this assurance, I have, &c.

(Signed) RENNELL RODD.

Annex 3.

Mr. Rodd to Ras Makunan.

Peace be unto you. *Harrar, June 4, 1897 (28 Genbot, 1889).*

AFTER friendly discussion with your Excellency, I have understood that His Majesty the Emperor of Ethiopia will recognize as frontier of the British Protectorate on the Somali Coast the line which, starting from the sea at the point fixed in the Agreement between Great Britain and France on the 9th February, 1888, opposite the wells of Hadou, follows the caravan-road, described in that Agreement, through Abbassouen till it reaches the hill of Somadou. From this point on the road the line is traced by the Saw mountains and the hill of Egu to Moga Medir; from Moga Medir it is traced by Eylinta Kaddo to Arran Arrhe, near the intersection of latitude 44° east of Greenwich with longitude 9° north. From this point a straight line is drawn to the intersection of 47° east of Greenwich with 8° north. From here the line will follow the frontier laid down in the Anglo-Italian Protocol of the 5th May, 1894 until it reaches the sea.

The tribes occupying either side of the line shall have the right to use the grazing-grounds on the other side, but during their migrations it is understood that they shall be subject to the jurisdiction of the territorial authority. Free access to the nearest wells is equally reserved to the tribes occupying either side of the line.

This understanding, in accordance with Article II of the Treaty signed on the 14th May, 1897 (7th Genbot, 1889), by His Majesty the Emperor Menelek and Mr. Rennell Rodd, at Adis Abbaba, must be approved by the two High Contracting Parties.

I have, &c.

(Signed) RENNELL RODD.

Ras Makunan to Mr. Rodd.

(Translation.)

Sent from Ras Makunan, Governor of Harrar and its Dependencies:

May this reach the Honourable Mr. Rennell Rodd,
Envoy of the British Kingdom.

I INFORM you to-day that, after long friendly discussion, the boundary of the British Somali Protectorate, upon which we have agreed, is as follows:—

Starting from the sea-shore opposite the wells of Hadou (as on which the French and the English Governments agreed in February 1888), it follows the caravan-road by Abbassouen till Mount Somadou; from Mount Somadou to Mount Saw; from Mount Saw to Mount Egu; from Mount Egu to Moga Medir; starting from Moga Medir, it goes in a direct line to Eylinta Kaddo and Arran Arrhe on 44° east of Greenwich and 9° north, and again in a direct line until 47° east and 8° north. After this the boundary follows the line on which the English and the Italians agreed on the 5th May, 1894, until the sea.

The subjects of both the Contracting Parties are at liberty to cross their frontiers and graze their cattle, but these people, in every place where they go, must obey the Governor of the country in which they are, and the wells which are in the neighbourhood shall remain open for the two parties.

These two letters on which we have agreed, according to Article II of the Treaty of His Majesty the Emperor of Ethiopia and Mr. Rennell Rodd of the 7th Genbot, 1889 (14th May, 1897), the two Sovereigns having seen them, if they approve them, shall be sealed again (ratified).

Written at Harrar, the 28th Genbot, 1889 (4th June, 1897).

(Signed) RAS MAKUNAN.

Mr. Rodd to the Emperor Menelek II.

Cairo, August 30, 1897.

From Mr. Rennell Rodd, Special Envoy of Her Majesty Queen Victoria, to His Majesty Menelek II, by the grace of God King of Kings of Ethiopia.

Peace be unto your Majesty.

I HAVE the honour to announce that the Queen, my gracious

Sovereign, has been pleased to approve and ratify the Treaty which I had the honour to sign with your Majesty on the 14th May last.

Her Majesty has also been pleased to approve of the arrangement which, in accordance with the terms of Article II of the Treaty, was agreed upon between Ras Makunan, as Representative of your Majesty, and myself by exchange of notes relative to the frontier of the British Protectorate in the Somali Coast; and it is presumed by Her Majesty's Government that your Majesty has also approved of it, as they have received no notification to the contrary.

The notes exchanged have accordingly been annexed to the Treaty which has received ratification, signifying Her Majesty's approval of all these documents.

I have now the honour to return herewith the copy of the Treaty intrusted to me by your Majesty, with its ratification in due form.

When I shall have received from your Majesty a letter signifying that this Treaty, thus ratified and approved, has come safely to your Majesty's hands, it will be made public by the Government of the Queen, that all her subjects may observe it and abide by it, and that it may strengthen the ties of friendship between our countries, and increase the feelings of esteem and good-will towards your Majesty which the reception of the British Mission in Ethiopia has awakened in my country.

I pray that your Majesty's life and health may long be preserved, and that your people may have peace and prosperity.

(Signed) RENNELL RODD.

The Emperor Menelek to the Queen.

(Translation.)

Menelek II, Elect of God, King of Kings of Ethiopia, to Her Most Gracious Majesty Queen Victoria, Queen of Great Britain and Ireland, and Empress of India, Upholder and Keeper of the Christian Religion.

May peace be unto you.

YOUR Majesty's letters of the 28th Hamlé (3rd August) and 22nd (23rd) Mascarem (1st (2nd) October), 1897, and the Treaty with the Great Seal, dated the 28th Hamlé (3rd August), 1897, have reached me, and We received it with joy. The Treaty of Peace which is now between your Government and our Government, We hope it will ever increase in firmness and last for ever.

We ask God to give your Majesty health, and to your kingdom quietness and peace.

Written at Adis Abbaba, the 8th December, 1897, A.D.

(Seal of His Majesty the Emperor Menelek II.)

ARGENTINE REPUBLIC.

No. 2.**TREATY OF AMITY, COMMERCE, AND NAVIGATION BETWEEN GREAT
BRITAIN AND THE UNITED PROVINCES OF RIO DE LA PLATA.**

*Signed at Buenos Ayres, February 2, 1825.**

EXTENSIVE Commercial Intercourse having been established for a series of years between the Dominions of His Britannick Majesty, and the Territories of The United Provinces of Rio de la Plata, it seems good for the security as well as encouragement of such Commercial Intercourse, and for the maintenance of good understanding between His said Britannick Majesty and the said United Provinces, that the Relations now subsisting between them should be regularly acknowledged and confirmed by the signature of a Treaty of Amity, Commerce, and Navigation.

For this purpose they have named their respective Plenipotentiaries, that is to say;

His Majesty the King of the United Kingdom of Great Britain and Ireland, Woodbine Parish, Esquire, His said Majesty's Consul-General in the Province of Buenos Ayres and its Dependencies;—and The United Provinces of Rio de la Plata, Señor Don Manuel José Garcia, Minister Secretary for the Departments of Government, Finance, and Foreign Affairs, of the National Executive Power of the said Provinces;

Who, after having communicated to each other their respective Full Powers, found to be in due and proper form, have agreed upon and concluded the following Articles:—

ARTICLE I.*Friendship.*

There shall be perpetual Amity between the Dominions and Subjects of His Majesty the King of the United Kingdom of Great Britain and Ireland, and The United Provinces of Rio de la Plata, and their Inhabitants.

* Signed also in Spanish.

ARTICLE II.

Freedom of Commerce, Navigation, and Residence.—Hiring, &c., of Houses and Warehouses.

There shall be, between all the Territories of His Britannick Majesty in Europe, and the Territories of The United Provinces of Rio de la Plata, a reciprocal freedom of Commerce: The Inhabitants of the two Countries, respectively, shall have liberty freely and securely to come, with their Ships and Cargoes, to all such Places, Ports, and Rivers, in the Territories aforesaid, to which other Foreigners are or may be permitted to come, to enter into the same, and to remain and reside in any part of the said Territories respectively; also to hire and occupy houses and warehouses for the purposes of their Commerce; and, generally, the Merchants and Traders of each Nation respectively, shall enjoy the most complete protection and security for their Commerce; subject always to the Laws and Statutes of the Two Countries respectively.

ARTICLE III.

Commerce and Navigation in British Dominions out of Europe.—Most-favoured-nation Treatment.

His Majesty the King of the United Kingdom of Great Britain and Ireland engages further, that in all his Dominions situated out of Europe, the Inhabitants of The United Provinces of Rio de la Plata shall have the like liberty of Commerce and Navigation stipulated for in the preceding Article, to the full extent in which the same is permitted at present, or shall be permitted hereafter, to any other Nation.

ARTICLE IV.

Imports and Exports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No higher or other Duties shall be imposed on the importation into the Territories of His Britannick Majesty, of any Articles of the growth, produce, or manufacture of The United Provinces of Rio de la Plata, and no higher or other Duties shall be imposed on the importation into the said United Provinces, of any Articles of the growth, produce, or manufacture of His Britannick Majesty's Dominions, than are or shall be payable on the like Articles, being the growth, produce, or manufacture of any other Foreign Country; nor shall any other or higher Duties or Charges be imposed, in the Territories or Dominions of either of the Contracting Parties, on the exportation of any

Articles to the Territories or Dominions of the other, than such as are or may be payable on the exportation of the like Articles to any other Foreign Country: nor shall any prohibition be imposed upon the exportation or importation of any Articles the growth, produce, or manufacture of His Britannick Majesty's Dominions, or of the said United Provinces, which shall not equally extend to all other nations.

ARTICLE V.

*Tonnage, Light, Pilotage, Salvage, and Harbour Dues, &c.—
National Treatment.*

No higher or other Duties or Charges on account of Tonnage, Light, or Harbour Dues, Pilotage, Salvage in case of Damage or Shipwreck, or any other local charges, shall be imposed, in any of the Ports of the said United Provinces, on British Vessels of the burthen of above one hundred and twenty tons, than those payable, in the same Ports, by Vessels of the said United Provinces of the same burthen; nor in the Ports of any of His Britannick Majesty's Territories, on the Vessels of the United Provinces of above one hundred and twenty tons, than shall be payable, in the same Ports, on British Vessels of the same burthen.

ARTICLE VI.

*Imports and Exports in Vessels of either Country.—Drawbacks
and Bounties.—National Treatment.*

The same Duties shall be paid on the importation into the said United Provinces of any Article the growth, produce, or manufacture of His Britannick Majesty's Dominions, whether such importation shall be in Vessels of the said United Provinces, or in British Vessels; and the same Duties shall be paid on the importation into the Dominions of His Britannick Majesty of any Article the growth, produce, or manufacture of the said United Provinces, whether such importation shall be in British Vessels, or in Vessels of the said United Provinces:—The same Duties shall be paid, and the same Drawbacks and Bounties allowed, on the exportation of any Articles of the growth, produce, or manufacture of His Britannick Majesty's Dominions to the said United Provinces, whether such exportation shall be in Vessels of the said United Provinces, or in British Vessels; and the same Duties shall be paid, and the same Bounties and Drawbacks allowed, on the exportation of any Articles the growth, produce, or manufacture of the said United Provinces to His Britannick Majesty's Dominions, whether such exportation shall be in British Vessels, or in Vessels of the said United Provinces.

ARTICLE VII.

National Vessels.

In order to avoid any misunderstanding with respect to the Regulations which may respectively constitute a British Vessel, or a Vessel of the said United Provinces, it is hereby agreed, that all Vessels built in the Dominions of his Britannick Majesty, and owned, navigated, and registered according to the Laws of Great Britain, shall be considered as British Vessels; and that all Vessels built in the Territories of the said United Provinces, properly registered, and owned by the Citizens thereof, or any of them, and whereof the Master and three-fourths of the Mariners, at least, are Citizens of the said United Provinces, shall be considered as Vessels of the said United Provinces.

ARTICLE VIII.

Transaction of Business.—Employment of Agents, &c.—Fixation of Prices of Goods.—National Treatment.

All Merchants, Commanders of Ships, and others, the subjects of His Britannick Majesty, shall have the same liberty in all the Territories of the said United Provinces, as the Natives thereof, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as Broker, Factor, Agent, or interpreter; nor shall they be obliged to employ any other Persons for those purposes, nor to pay them any salary or remuneration, unless they shall choose to employ them; and absolute freedom shall be allowed, in all cases, to the Buyer and Seller to bargain and fix the price of any goods, wares, or merchandize imported into, or exported from, the said United Provinces, as they shall see good.

ARTICLE IX.

Loading and Unloading of Vessels, Disposal of Property, Administration of Justice.—Most-favoured-nation and National Treatment.—Exemption from Military Service, Forced Loans, &c.—Taxes.—National Treatment.

In whatever relates to the lading and unlading of Ships, the safety of merchandize, goods, and effects, the disposal of property of every sort and denomination, by sale, donation, or exchange, or in any other manner whatsoever, as also the administration of Justice, the Subjects and Citizens of the Two Contracting Parties shall enjoy, in their respective Dominions, the same Privileges, Liberties, and Rights, as the most favoured Nation, and shall not be charged, in any of these respects, with any higher Duties or Imposts than those which are paid, or

may be paid, by the Native Subjects or Citizens of the Power in whose Dominions they may be resident. They shall be exempted from all compulsory military Service whatsoever, whether by Sea or Land, and from all forced loans, or military exactions or requisitions; neither shall they be compelled to pay any ordinary taxes, under any pretext whatsoever, greater than those that are paid by Native Subjects or Citizens.

ARTICLE X.

Appointment of Consuls.

It shall be free for each of the Two Contracting Parties to appoint Consuls for the Protection of Trade, to reside in the Dominions and Territories of the other Party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the Contracting Parties may except from the residence of Consuls, such particular Places as either of them may judge fit to be so excepted.

ARTICLE XI.

Rupture of Friendly Relations.—Position of Persons and Property.—National Treatment.

For the better security of Commerce between the Subjects of His Britannick Majesty, and the Inhabitants of The United Provinces of Rio de la Plata, it is agreed, that if at any time any interruption of friendly Commercial Intercourse, or any rupture should unfortunately take place between the Two Contracting Parties, the Subjects or Citizens of either of the Two Contracting Parties residing in the Dominions of the other, shall have the privilege of remaining and continuing their Trade therein, without any manner of interruption, so long as they behave peaceably, and commit no offence against the laws; and their effects and property, whether entrusted to Individuals or to the State, shall not be liable to seizure or sequestration, or to any other demands than those which may be made upon the like effects or property belonging to the Native Inhabitants of the State in which such Subjects or Citizens may reside.

ARTICLE XII.

Liberty of Conscience.—Freedom of Religious Worship.—Burials.

The Subjects of His Britannick Majesty residing in The United Provinces of Rio de la Plata, shall not be disturbed, persecuted, or annoyed on account of their Religion, but they shall have perfect liberty of Conscience therein, and to cele-

brate Divine Service either within their own private houses, or in their own particular Churches or Chapels, which they shall be at liberty to build and maintain in convenient places, approved of by the Government of the said United Provinces:—Liberty shall also be granted to bury the subjects of His Britannick Majesty who may die in the Territories of the said United Provinces, in their own burial places, which, in the same manner, they may freely establish and maintain. In the like manner, the Citizens of the said United Provinces shall enjoy within all the Dominions of His Britannick Majesty, a perfect and unrestrained liberty of Conscience, and of exercising their Religion publicly or privately, within their own dwelling houses, or in the Chapels and places of worship appointed for that purpose, agreeably to the system of toleration established in the Dominions of His said Majesty.

ARTICLE XIII.

Disposal of Property by Will.—Intestate Estates.

It shall be free for the Subjects of His Britannick Majesty, residing in the United Provinces of Rio de la Plata, to dispose of their property, of every description, by Will or Testament, as they may judge fit; and, in the event of any British Subject dying without such Will or Testament in the Territories of the said United Provinces, the British Consul-General, or, in his absence, his Representative, shall have the Right to nominate Curators to take charge of the property of the deceased, for the benefit of his lawful heirs and creditors, without interference, giving convenient notice thereof to the Authorities of the Country; and reciprocally.

ARTICLE XIV.

Abolition of Slave Trade.

His Britannick Majesty being extremely desirous of totally abolishing the Slave Trade, The United Provinces of Rio de la Plato engage to co-operate with His Britannick Majesty for the completion of so beneficent a work, and to prohibit all Persons inhabiting within the said United Provinces, or subject to their jurisdiction, in the most effectual manner, and by the most solemn laws, from taking any share in such Trade.

ARTICLE XV.

Ratifications.

The present Treaty shall be ratified, and the Ratifications shall be exchanged in London within four months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed their seals thereunto.

Done at Buenos Ayres, the second day of February, in the year of our Lord one thousand eight hundred and twenty-five.

(L.S.) WOODBINE PARISH,
H.M. Consul-General.

(L.S.) MANL. J. GARCIA.

No. 3.

TREATY BETWEEN GREAT BRITAIN AND THE ARGENTINE CONFEDERATION FOR THE FREE NAVIGATION OF THE RIVERS PARANÁ AND URUGUAY.

*Signed at San José de Flores, July 10, 1853.**

[*Ratifications exchanged at Paraná, March 11, 1854.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Excellency the Provisional Director of the Argentine Confederation, being desirous of strengthening the bonds of friendship which so happily subsist between their respective States and Countries, and convinced that the surest means of arriving at this result is to take in concert all the measures requisite for facilitating and developing commercial relations, have resolved to determine by Treaty the conditions of the free navigation of the Rivers Paraná and Uruguay, and thus to remove the obstacles which have hitherto impeded this navigation.

With this object they have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Charles Hotham, Knight Commander of the Most Honourable Order of the Bath, a Captain in Her Majesty's Navy, and one of Her Aides-de-camp, accredited on a special mission to the Argentine Confederation;

And his Excellency the Provisional Director of the Argentine Confederation, Doctor Don Salvador Maria del Carril, and Doctor Don José Benjamin Gorostiaga;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:—

* Signed also in Spanish.

ARTICLE I.

Free Navigation of Paraná and Uruguay.

The Argentine Confederation, in the exercise of her sovereign rights, concedes the free navigation of the Rivers Paraná and Uruguay, wherever they may belong to her, to the merchant vessels of all nations, subject only to the conditions which this Treaty establishes, and to the regulations sanctioned, or which may hereafter be sanctioned, by the national authority of the Confederation.

ARTICLE II.

Privileges of Vessels in Argentine Ports.

Consequently, the said vessels shall be admitted to remain, load, and unload in the places and ports of the Argentine Confederation which are open for that purpose.

ARTICLE III.

Facilities for Internal Navigation.

The Government of the Argentine Confederation, being desirous to provide every facility for interior navigation, agrees to maintain beacons and marks pointing out the channels.

ARTICLE IV.

Collection of Customs Duties and Harbour, Light, Police, and Pilotage Dues.

A uniform system shall be established by the competent authorities of the Confederation for the collection of the custom-house duties, harbour, lights, police, and pilotage dues, along the whole course of the waters which belong to the Confederation.

ARTICLE V.

Island of Martin Garcia.

The High Contracting Parties, considering that the Island of Martin Garcia may, from its position, embarrass and impede the free navigation of the confluent of the River Plate, agree to use their influence to prevent the possession of the said island from being retained or held by any State of the River Plate, or its confluent, which shall not have given its adhesion to the principle of their free navigation.

ARTICLE VI.

Navigation of Paraná and Uruguay in time of War.

If it should happen (which God forbid) that war should break out between any of the States, Republics, or Provinces of the River Plate or its confluent, the navigation of the Rivers Paraná and Uruguay shall remain free to the merchant flag of all nations, excepting in what may relate to munitions of war, such as arms of all kinds, gunpowder, lead, and cannon-balls.

ARTICLE VII.

Power of Brazil, Bolivia, Paraguay, and Uruguay, to accede to Treaty.

Power is expressly reserved to His Majesty the Emperor of Brazil, and the Government of Bolivia, Paraguay, and the Oriental State of Uruguay, to become parties to the present Treaty, in case they should be disposed to apply its principles to the parts of the Rivers Paraná, Paraguay, and Uruguay, over which they may respectively possess fluvial rights.

ARTICLE VIII.

Navigation of Paraná and Uruguay.—Most-favoured-nation Treatment.

The principal objects for which the Rivers Paraná and Uruguay are declared free to the commerce of the world being to extend the mercantile relations of the countries which border them, and to promote immigration, it is hereby agreed that no favour or immunity shall be granted to the flag or trade of any other nation, which shall not equally extend to those of Her Britannic Majesty.

ARTICLE IX.

Ratifications.

The present Treaty shall be ratified by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland within six months from its date, and within two days by his Excellency the Provisional Director of the Argentine Confederation, who shall present it to the first Legislative Congress of the Confederation for their approbation.

The ratification shall be exchanged within eighteen months at the place of residence of the Government of the Argentine Confederation.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at San José de Flores, on the tenth day of July, in the year of our Lord one thousand eight hundred and fifty-three.

(L.S.) CHAS. HOTHAM.
(L.S.) SALVADOR MARIA DEL CARRIL.
(L.S.) JOSE B. GOROSTIAGA.

AUSTRIA-HUNGARY.

No. 4.

TREATY OF NAVIGATION BETWEEN GREAT BRITAIN AND AUSTRIA-HUNGARY.

*Signed at Vienna, April 30, 1868.**

[*Ratifications exchanged at Vienna, June 26, 1868.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and His Imperial and Royal Apostolic Majesty, on the other part, being equally animated by the desire of extending and promoting the facilities of Navigation between their respective States and Dominions, have resolved to conclude a Treaty for that purpose, and have named for their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Arthur Douglas Baron Bloomfield of Oakhampton and Redwood, a Peer of Ireland, a Member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Imperial and Royal Apostolic Majesty; and Louis Mallet, Esquire, Companion of the Most Honourable Order of the Bath, Assistant Secretary to the Committee of Her Majesty's Most Honourable Privy Council for Trade and Foreign Plantations;

And His Imperial and Royal Apostolic Majesty, Frederic Ferdinand Baron Beust, His Imperial Majesty's Privy Councillor, Chancellor of the Empire, and Minister of the Imperial House and of Foreign Affairs, Grand Cross of the Orders of St. Stephen and Leopold:

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles:—

* Signed also in German.

ARTICLE I.

Vessels and Cargoes.—National Treatment.

British ships and their cargoes in all the dominions of His Imperial and Royal Apostolic Majesty, and ships belonging to the citizens of the Imperial and Royal States and their cargoes in all the dominions of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, from whatever place arriving and whatever may be their place of destination, and whatever may be the place of origin or destination of their cargoes, shall be treated in every respect as national ships and their cargoes.

Navigation.—Most-favoured-nation Treatment.

Every favour or exemption in these respects, or any other privilege in matters of Navigation, which either of the Contracting Parties shall grant to a third Power, shall be extended immediately and unconditionally to the other Party.

Fisheries excepted.

It is, however, agreed that this stipulation shall not be applicable to the national fisheries of either of the two countries.

ARTICLE II.

Colonial Coasting Trade.—National Treatment.

The stipulations contained in the preceding Article are also to be applied to the Colonies and Foreign Possessions of Her Britannic Majesty, as well as to the ships and cargoes of the same; but, as regards the coasting trade, only in those Colonies and Foreign Possessions the coasting trade of which shall have been, or shall be hereafter, opened to foreign ships in conformity with the Acts of Parliament which govern this matter.

The Foreign Possessions and Colonies of Her Britannic Majesty the coasting trade of which has been already so opened to foreign ships, and in which therefore ships belonging to the citizens of the Imperial and Royal States are placed on the national footing, are:

British India,
Ceylon,
Cape of Good Hope,
Victoria,
St. Lucia.

ARTICLE III.

Wrecks and Salvage.—National Treatment.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked, or meet with any casualty upon the coasts of the other, the same aid and assistance shall be rendered to it, and to the cargo, apparel, and furniture thereof, as to a national vessel; and in such case no other expenses shall be paid by the owners or their agents and representatives for the preservation of the property or of the lives of the persons on board the ship, than would be payable in the like case of a wreck of or casualty to a national vessel.

In case the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray any salvage expenses, no impediment shall be opposed by the authorities, the master being bound, however, to conform to the existing regulations and Tariffs.

The goods and merchandize saved from the wreck shall be exempt from all duties of Customs, unless cleared for consumption.

The respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master, or other agent of the owner, is not present, or is present and requires it, or is bound by the laws of his country to accept Consular assistance, be authorized to interpose in order to afford the necessary assistance to those concerned.

ARTICLE IV.

Seamen Deserters.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties residing in the Dominions and Possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE V.

National Vessels.

All vessels which according to British law are to be deemed British vessels, and all vessels which, according to the laws prevailing in the States of His Imperial and Royal Apostolic Majesty, are to be deemed vessels belonging to the subjects of His Imperial and Royal Apostolic Majesty, shall, for the purposes

of this Treaty, be respectively deemed British vessels, and vessels belonging to the citizens of the Imperial and Royal States.

ARTICLE VI.

Duration of Treaty.

The present Treaty shall remain in force from the exchange of the ratifications thereof until the 31st December, 1877; and in case neither of the High Contracting Powers shall have notified to the other twelve months before the expiration of the said period, the intention to put an end to its operation, the Treaty shall continue in force for another year, and so on from year to year, until the expiration of a year counting from the day on which one or other of the High Contracting Parties shall have announced its intention of putting an end to it.

ARTICLE VII.

Ratifications.

The present Treaty shall be ratified, and the ratifications shall be exchanged at Vienna, within eight weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Vienna, this 30th day of April, in the year of our Lord one thousand eight hundred and sixty-eight.

(L.S.)	BLOOMFIELD.
(L.S.)	LOUIS MALLET.
(L.S.)	BEUST.

No. 5.

TREATY OF COMMERCE BETWEEN GREAT BRITAIN AND
AUSTRIA-HUNGARY.

*Signed at Buda-Pesth, December 5, 1876.**

[Ratifications exchanged at Vienna, December 29, 1876.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, on the other part, being equally desirous to regulate and extend the commercial relations between their respective States and Possessions, have resolved, after notice had been given for the termination of the Treaty of Commerce of the 16th of December, 1865, and of the Convention supplementary thereto of the 30th December, 1869, to conclude a new Treaty for the above purpose, and have appointed as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Andrew Buchanan, a Member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Imperial and Royal Apostolic Majesty;

And His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, Julius, Count Andrassy de Csik-Szent-Kiraly et Kraszna-Horka, Grand Cross of the Order of St. Stephen, General in His Imperial Majesty's Army, Privy Councillor, Minister of the Imperial House and of Foreign Affairs;

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles:—

ARTICLE I.

Residence, Commerce, Imposts. — Most-favoured-nation Treatment.

The subjects of His Imperial and Royal Apostolic Majesty who reside temporarily or permanently in the territories and possessions, including the Colonies and foreign possessions, of

* Signed also in German and Magyar.

Her Britannic Majesty, and the subjects of Her Britannic Majesty who reside temporarily or permanently in the Austro-Hungarian Monarchy, shall enjoy therein during the continuance of this Treaty, with respect to residence and the exercise of commerce and trade, the same rights as, and shall not be subjected to any higher or other imposts than, the subjects of any third country the most favoured in these respects.

ARTICLE II.

Imports: Duties, &c.—Most-favoured-nation Treatment.

The produce and manufactures of, as well as all goods coming from, Austria-Hungary, which are imported into the territories and possessions, including the Colonies and foreign possessions, of Her Britannic Majesty, and the produce and manufactures of, as well as all goods coming from, British possessions, which are imported into the Austro-Hungarian Monarchy, whether intended for consumption, warehousing, re-exportation or transit, shall therein, during the continuance of this Treaty, be treated in the same manner as, and in particular shall be subjected to no higher or other duties than, the produce and goods of any third country, the most favoured in this respect.

Exports: Duties, &c.—Most-favoured-nation Treatment.

No other or higher duties shall be levied in the Austro-Hungarian Monarchy on the exportation of any goods to the territories and possessions, including the Colonies and foreign possessions, of Her Britannic Majesty, or in the territories and possessions, including the Colonies and foreign possessions, of Her Britannic Majesty, on the exportation of any goods to the Austro-Hungarian Monarchy, than on the exportation of the like goods to any third country the most favoured in this respect.

Transit of Goods.—Most-favoured-nation Treatment.

The two High Contracting Parties likewise guarantee to each other treatment on the footing of the most favoured third country in regard to the transit of goods through the territory of the one from and to the territory of the other.

ARTICLE III.

Reductions in Tariff, Favours, and Immunities.—Most-favoured-nation Treatment.

Every reduction in the Tariff of Import and Export Duties, as well as every favour or immunity that one of the Con-

tracting Parties grants to the subjects and commerce of a third Power, shall be participated in simultaneously and unconditionally by the other.

ARTICLE IV.

Exceptions to Most-favoured-nation Treatment.

The stipulations of the foregoing Articles, I to III, relative to the reciprocal treatment on the footing of the most favoured third country, shall not apply—

Turkish Trade.

1. To those special and ancient privileges which are accorded to Turkish subjects for the Turkish trade in Austria-Hungary.

Frontier Traffic and District Privileges.

2. To those advantages which are or may be granted on the part of the Austro-Hungarian Monarchy to the neighbouring countries solely for the purpose of facilitating the frontier traffic, or to those reductions of, or exemptions from, Customs duties which are only valid in the said Monarchy for certain frontiers, or for the inhabitants of certain districts.

Customs Union.

3. To the obligations imposed upon either of the High Contracting Parties by a Customs Union already concluded, or which may hereafter be concluded.

ARTICLE V.

Exports, Imports, and Transit: Prohibitions.—Most-favoured-nation Treatment.

Neither of the High Contracting Parties shall establish a prohibition of importation, exportation, or transit against the other which shall not, under like circumstances, be applicable to the third country most favoured in this respect.

ARTICLE VI.

Trade-Marks, &c.—National Treatment.

The subjects of one of the two High Contracting Parties shall enjoy in the territories of the other the same protection as native subjects with regard to rights of ownership over

trade and manufacture marks, and other distinctive marks of goods or their packages, as well as over patterns and designs for manufactures.

The subjects of Her Britannic Majesty will not, however, be able to claim in Austria-Hungary the exclusive right to a mark or other indication on a pattern or design unless they have deposited two specimens of it in the Chambers of Commerce at Vienna and Buda-Pesth.

ARTICLE VII.

Duration of Treaty.

The present Treaty shall come into force on the 1st of January, 1877, and remain in operation until the 31st of December of the same year.

ARTICLE VIII.

Ratifications.

The present Treaty shall be ratified as soon as possible, and the ratifications shall be exchanged at Vienna by the 31st of December, 1876, at latest.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Buda-Pesth, on the 5th day of December, in the year of our Lord one thousand eight hundred and seventy-six.

(L.S.) ANDREW BUCHANAN.
(L.S.) ANDRASSY.

No. 6.

PROTOCOL RESPECTING ARTICLE IV OF THE TREATY OF COMMERCE BETWEEN GREAT BRITAIN AND AUSTRIA-HUNGARY OF DECEMBER 5, 1876.

*Signed at Buda-Pesth, December 5, 1876.**

Definition of Customs Union mentioned in Article IV of Treaty.

ON proceeding to the signature of the Treaty of Commerce concluded this day between the United Kingdom of Great

* Signed also in German and Magyar.

Britain and Ireland and the Austro-Hungarian Monarchy, and on the demand addressed to him by the Plenipotentiary of Her Britannic Majesty, the Plenipotentiary of His Majesty the Emperor and King hereby declares that the stipulation contained in paragraph 3 of Article IV only refers to the Customs Union between the said Monarchy and the Principality of Liechtenstein.

The Plenipotentiary of Her Britannic Majesty takes note of this declaration.

The present Protocol, drawn up in duplicate, was signed at Buda-Pesth, on the 5th December, 1876.

ANDREW BUCHANAN.
ANDRASSY.

No. 7.

DECLARATION PROLONGING THE DURATION OF THE TREATY OF
COMMERCE BETWEEN GREAT BRITAIN AND AUSTRIA-HUNGARY
OF DECEMBER 5, 1876.

*Signed at Buda-Pesth, November 26, 1877.**

WHEREAS the Treaty of Commerce concluded between Great Britain and Austria-Hungary on the 5th of December, 1876, will terminate, according to Article VII, upon the 31st of December, 1877, the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the Emperor of Austria, King of Bohemia, etc., Apostolic King of Hungary, actuated by the desire to prolong the operation of this Treaty, have agreed upon the following stipulation:—

The duration of the Treaty of Commerce concluded between Great Britain and Austria-Hungary on the 5th of December, 1876, shall be prolonged indefinitely, with the reservation that both the Contracting Parties are at all times entitled to denounce the same. In case one of the two Contracting Parties should notify its intention to put an end to the operation of this Treaty, it shall remain in force for the term of one year from the date upon which the notice shall have been given.

* Signed also in German and Magyar.

In witness whereof the Undersigned have signed the above Declaration in duplicate, and have affixed thereto the seal of their arms.

Done at Buda-Pesth, this 26th November, 1877.

(L.S.) ANDREW BUCHANAN.
(L.S.) ANDRASSY.

No. 8.

DECLARATION BETWEEN GREAT BRITAIN AND AUSTRIA-HUNGARY
FOR THE ADMISSION DUTY FREE OF PATTERNS AND
SAMPLES IMPORTED BY COMMERCIAL TRAVELLERS.

*Signed at London, February 15, 1887.**

THE Undersigned, being duly authorized to that effect, hereby declare that articles liable to duty, serving as patterns and samples, which are introduced into Great Britain by commercial travellers of the Austro-Hungarian Monarchy, or into the Austro-Hungarian Monarchy by commercial travellers of Great Britain, shall henceforth be admitted free of duty, subject to the following formalities requisite to insure their being re-exported or placed in bond :—

1. The officers of Customs at any port or place at which the patterns and samples may be imported, shall ascertain the amount of duty chargeable thereon.

That amount must either be deposited by the commercial traveller at the Custom-house in money, or ample security must be given for it.

2. For the purpose of identification each separate pattern or sample will, as far as possible, be marked, free of expense, by the affixing of a stamp, or by means of a seal, or leaden seal, being attached to it.

3. A permit or certificate shall be given to the importer which shall contain—

(a.) A list of the patterns or samples imported, specifying the

* Signed also in German and Magyar.

nature of the goods, and also such particular marks as may be proper for the purpose of identification ;

(b.) A statement of the duty chargeable on the patterns or samples, as also whether the amount was deposited in money, or whether security was given for it ;

(c.) A statement relative to the manner in which the patterns or samples were marked ;

(d.) The appointment of a period, which at the utmost must not exceed twelve months, at the expiration of which, unless it is proved that the patterns or samples have been previously re-exported or placed in bond, the amount of duty deposited will be carried to the public account, or the amount recovered under the security given.

4. Patterns or samples may also be re-exported through any other Custom-house than the one through which they were imported.

5. If before the expiration of the appointed time (3, d), the patterns or samples should be presented at the Custom-house of any port or place for the purpose of re-exportation, or being placed in bond, the officers at such port or place must satisfy themselves by examination whether the articles which are brought to them are the same as those for which the permit of entry was granted. If there are no objections in this respect, the officers will certify the re-exportation or deposit in bond, and will refund the duty which had been deposited, or will take the necessary steps for discharging the security.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto the seal of their arms.

Done at London, the fifteenth day of February, 1887.

(L.S.) SALISBURY
(L.S.) KAROLYI.

BELGIUM.

No. 9.

CONVENTION BETWEEN GREAT BRITAIN AND BELGIUM, RELATIVE
TO JOINT STOCK COMPANIES.

*Signed at London, November 13, 1862.**

[Ratifications exchanged at London, December 8, 1862.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Belgians, having judged it expedient to come to an understanding in order to define, within their respective dominions and possessions, the position of commercial, industrial, and financial Companies and Associations constituted and authorized in conformity with the laws in force in either of the two countries, have resolved to conclude a Convention for that purpose, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Earl Russell, Viscount Amberley of Amberley and Ardsalla, a Peer of the United Kingdom, Knight of the Most Noble Order of the Garter, a Member of Her Britannic Majesty's Most Honourable Privy Council, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Thomas Milner Gibson, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, and President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations;

And His Majesty the King of the Belgians, the Sieur Sylvain Van de Weyer, His Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, Grand Cross of the Order of Leopold, decorated with the Iron Cross, Grand Cross of the Order of Charles III of Spain, of the Order of the Ernestine Branch of Saxony, of the Tower and Sword, of St. Maurice and St. Lazarus, Commander of the Legion of Honour, &c.;

* Signed also in French.

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles :—

ARTICLE I.

Rights of Companies.—Access to Tribunals.

The High Contracting Parties declare that they mutually grant to all Companies and other Associations, commercial, industrial, or financial, constituted and authorized in conformity with the laws in force in either of the two countries, the power of exercising all their rights, and of appearing before the Tribunals, whether for the purpose of bringing an action, or for defending the same, throughout the dominions and possessions of the other Power, subject to the sole condition of conforming to the laws of such dominions and possessions.

ARTICLE II.

Application to all Companies constituted previously or subsequently to Convention.

It is agreed that the stipulations of the preceding Article shall apply as well to Companies and Associations constituted and authorized previously to the signature of the present Convention, as to those which may subsequently be so constituted and authorized.

ARTICLE III.

Duration of Convention.

The present Convention is concluded without limit as to duration. Either of the High Powers shall, however, be at liberty to terminate it by giving to the other a year's previous notice. The two High Powers, moreover, reserve to themselves the power to introduce into the Convention, by common consent, any modifications which experience may show to be desirable.

ARTICLE IV.

Ratifications.

The present Convention shall be ratified, and the ratifications shall be exchanged at London in one month, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the thirteenth day of November, in the year of our Lord one thousand eight hundred and sixty-two.

(L.S.) RUSSELL.
(L.S.) T. MILNER GIBSON.
(L.S.) SYLVAIN VAN DE WEYER.

No. 10.

EXCHANGE OF NOTES ESTABLISHING A PROVISIONAL "MODUS VIVENDI" BETWEEN GREAT BRITAIN AND BELGIUM PENDING THE CONCLUSION OF A TREATY OF COMMERCE AND NAVIGATION BETWEEN THE TWO COUNTRIES.

July 27, 1898.

(No. 1.)

M. de Favereau to Sir F. Plunkett.

LE Soussigné, Ministre des Affaires Étrangères du Royaume de Belgique, a l'honneur de porter à la connaissance de son Excellence Sir Francis Plunkett, Envoyé Extraordinaire et Ministre Plénipotentiaire du Royaume-Uni de Grande-Bretagne et d'Irlande, que, en attendant la signature d'un Traité définitif, le Gouvernement du Roi s'engage, sous condition de réciprocité, à ne pas modifier, après le 29 Juillet, 1898, le régime actuellement appliqué aux sujets et aux produits du Royaume-Uni de Grande-Bretagne et d'Irlande, à moins de préavis donné trois mois à l'avance au Gouvernement Britannique.

Il est entendu, toutefois, que le présent engagement ne fait pas obstacle à la faculté pour les deux Gouvernements d'apporter au régime existant entre les deux pays les modifications qui seraient rendues applicables à tous les autres pays indistinctement.

Le Soussigné saisit, &c.

(Signé)

P. DE FAVEREAU.

Bruxelles, le 27 Juillet, 1898.

(No. 2.)

Sir F. Plunkett to M. de Favereau.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at Brussels, being duly authorized thereto by his Government, has the honour to accept, on the conditions therein laid down, the proposal made in the note of this date which his Excellency M. de Favereau, Minister for Foreign Affairs of the Kingdom of Belgium, has done him the honour of addressing to him, establishing a provisional *modus vivendi* between the United Kingdom of Great Britain and Ireland and the Kingdom of Belgium pending the conclusion of a definite Treaty of Commerce and Navigation.

The Undersigned has, therefore, the honour to state that, on this understanding, Her Britannic Majesty's Government will, on their part, undertake not to make any modification after the 29th July, 1898, in the system actually applied in the United Kingdom of Great Britain and Ireland to the subjects and products of Belgium, unless previous notice of any such change shall have been given three months beforehand to the Belgian Government.

It is clearly understood that the present engagement does not prevent either of the two Governments making, in the system actually in force between the two countries, such modifications as may be made applicable to all other countries.

The Undersigned avails, &c.

(Signed) F. R. PLUNKETT.

British Legation, Brussels,

July 27, 1898.

No. 11.

EXCHANGE OF NOTES EXTENDING TO BRITISH INDIA THE PROVISIONAL "MODUS VIVENDI" BETWEEN GREAT BRITAIN AND BELGIUM PENDING THE CONCLUSION OF A TREATY OF COMMERCE AND NAVIGATION BETWEEN THE TWO COUNTRIES.

August 30, 1898.

(No. 1.)

Sir F. Plunkett to M. de Favereau.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Brussels, duly authorized

thereto by Her Britannic Majesty's Government, has the honour to inform his Excellency M. de Favereau, Minister for Foreign Affairs of the Kingdom of Belgium, that the Government of India, being anxious to be included in the *modus vivendi* established between the United Kingdom of Great Britain and Ireland and the Kingdom of Belgium by the notes exchanged between M. de Favereau and the Undersigned on the 27th of last month, undertakes to adhere to the conditions therein specified as soon as the Government of Belgium gives a corresponding engagement on its part.

The Undersigned avails himself, &c.—

(Signed) F. R. PLUNKETT.

*British Legation, Brussels,
August 30, 1898.*

(No. 2.)

M. de Favereau to Sir F. Plunkett.

Le Soussigné, Ministre des Affaires Étrangères du Royaume de Belgique, a l'honneur de porter à la connaissance de son Excellence Sir Francis Plunkett, Envoyé Extraordinaire et Ministre Plénipotentiaire du Royaume-Uni de Grande-Bretagne et d'Irlande, comme suite à sa notification de ce jour, que, en attendant la signature d'un Traité définitif, le Gouvernement du Roi s'engage, sous condition de réciprocité, à étendre aux sujets et aux produits de l'Inde le *modus vivendi* établi le 27 Juillet, 1898, entre la Belgique et le Royaume-Uni de Grande-Bretagne et d'Irlande, sous les conditions et réserves stipulées dans le dit Arrangement.

Le Soussigné saisit, &c.

(Signé) P. DE FAVEREAU.

Bruxelles, le 30 Août, 1898.

No. 12.

EXCHANGE OF NOTES EXTENDING TO MALTA THE PROVISIONAL
 "MODUS VIVENDI" BETWEEN GREAT BRITAIN AND BELGIUM
 PENDING THE CONCLUSION OF A TREATY OF COMMERCE AND
 NAVIGATION BETWEEN THE TWO COUNTRIES.

November 5, 1898.

(No. 1.)

Sir F. Plunkett to M. de Favereau.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Brussels, duly authorized thereto by Her Britannic Majesty's Government, has the honour to inform his Excellency M. de Favereau, Minister for Foreign Affairs of the Kingdom of Belgium, that the Government of Malta, being anxious to be included in the *modus vivendi* established between the United Kingdom of Great Britain and Ireland and the Kingdom of Belgium by the notes exchanged between M. de Favereau and the Undersigned on the 27th July, 1898, undertakes to adhere to the conditions therein specified as soon as the Government of Belgium gives a corresponding engagement on its part.

The Undersigned avails, &c.

(Signed) F. R. PLUNKETT.

*British Legation, Brussels,
 November 5, 1898.*

(No. 2.)

M. de Favereau to Sir F. Plunkett.

LE Soussigné, Ministre des Affaires Étrangères du Royaume de Belgique, a l'honneur de porter à la connaissance de son Excellence Sir Francis Plunkett, Envoyé Extraordinaire et Ministre Plénipotentiaire du Royaume-Uni de Grande-Bretagne et d'Irlande, comme suite à sa notification de ce jour, que, en attendant la signature d'un Traité définitif, le Gouvernement du Roi s'engage, sous condition de réciprocité, à étendre aux sujets et aux produits de Malte le *modus vivendi* établi le 27 Juillet, 1898, entre la Belgique et le Royaume-Uni de Grande-Bretagne et d'Irlande, sous les conditions et réserves stipulées dans le dit Arrangement.

Le Soussigné saisit, &c.

(Signé) P. DE FAVEREAU.

Bruxelles, le 5 Novembre, 1898.

No. 13.

EXCHANGE OF NOTES EXTENDING TO CYPRUS THE PROVISIONAL
"MODUS VIVENDI" BETWEEN GREAT BRITAIN AND BELGIUM
PENDING THE CONCLUSION OF A TREATY OF COMMERCE AND
NAVIGATION BETWEEN THE TWO COUNTRIES.

November 25, 1898.

(No. 1.)

Sir F. Plunkett to M. de Favereau.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Brussels, duly authorized thereto by Her Britannic Majesty's Government, has the honour to inform his Excellency M. de Favereau, Minister for Foreign Affairs of the Kingdom of Belgium, that the Government of Cyprus, being anxious to be included in the *modus vivendi* established between the United Kingdom of Great Britain and Ireland and the Kingdom of Belgium by the notes exchanged between M. de Favereau and the Undersigned on the 27th July, 1898, undertakes to adhere to the conditions therein specified as soon as the Government of Belgium gives a corresponding engagement on its part.

The Undersigned avails, &c.

(Signed) F. R. PLUNKETT.

British Legation, Brussels,

November 25, 1898.

(No. 2.)

M. de Favereau to Sir F. Plunkett.

LE Soussigné, Ministre des Affaires Étrangères du Royaume de Belgique, a l'honneur de porter à la connaissance de son Excellence Sir Francis Plunkett, Envoyé Extraordinaire et Ministre Plénipotentiaire du Royaume-Uni de Grande-Bretagne et d'Irlande, comme suite à sa notification de ce jour, que, en attendant la signature d'un Traité définitif, le Gouvernement du Roi s'engage, sous condition de réciprocité, à étendre aux sujets et aux produits de Chypre le *modus vivendi* établi le 27 Juillet, 1898, entre la Belgique et le Royaume-Uni de Grande-Bretagne et d'Irlande, sous les conditions et réserves stipulées dans le dit Arrangement.

Le Soussigné saisit, &c.

(Signed) P. DE FAVEREAU.

Bruxelles, le 25 Novembre, 1898.

No. 14.

EXCHANGE OF NOTES EXTENDING TO NEWFOUNDLAND THE PROVISIONAL "MODUS VIVENDI" BETWEEN GREAT BRITAIN AND BELGIUM PENDING THE CONCLUSION OF A TREATY OF COMMERCE AND NAVIGATION BETWEEN THE TWO COUNTRIES.

December 6, 1898.

(No. 1.)

Sir F. Plunkett to M. de Favereau.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Brussels, duly authorized thereto by Her Britannic Majesty's Government, has the honour to inform his Excellency M. de Favereau, Minister for Foreign Affairs of the Kingdom of Belgium, that the Government of Newfoundland, being anxious to be included in the *modus vivendi* established between the United Kingdom of Great Britain and Ireland and the Kingdom of Belgium by the notes exchanged between M. de Favereau and the Undersigned on July 27, 1898, undertakes to adhere to the conditions therein specified as soon as the Government of Belgium gives a corresponding engagement on its part.

The Undersigned avails, &c.

(Signed) F. R. PLUNKETT.

*British Legation, Brussels,
December 6, 1898.*

(No. 2.)

M. de Favereau to Sir F. Plunkett.

LE Soussigné, Ministre des Affaires Étrangères du Royaume de Belgique, a l'honneur de porter à la connaissance de son Excellence Sir Francis Plunkett, Envoyé Extraordinaire et Ministre Plénipotentiaire du Royaume-Uni de Grande-Bretagne et d'Irlande, comme suite à sa notification de ce jour, que, en attendant la signature d'un Traité définitif, le Gouvernement du Roi s'engage, sous condition de réciprocité, à étendre aux sujets et aux produits de Terre-Neuve le *modus vivendi* établi le 27 Juillet, 1898, entre la Belgique et le Royaume-Uni de Grande-Bretagne et d'Irlande, sous les conditions et réserves stipulées dans le dit Arrangement.

Le Soussigné saisit, &c.

(Signé) P. DE FAVEREAU.

Bruxelles, le 6 Décembre, 1898.

No. 15.

EXCHANGE OF NOTES EXTENDING TO CEYLON AND LAGOS THE
PROVISIONAL "MODUS VIVENDI" BETWEEN GREAT BRITAIN
AND BELGIUM PENDING THE CONCLUSION OF A TREATY OF
COMMERCE AND NAVIGATION BETWEEN THE TWO COUNTRIES.

January 5, 1899.

(No. 1.)

Sir F. Plunkett to M. de Favereau.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Brussels, duly authorized thereto by Her Britannic Majesty's Government, has the honour to inform his Excellency M. de Favereau, Minister for Foreign Affairs of the Kingdom of Belgium, that the Government of Ceylon, being anxious to be included in the *modus vivendi* established between the United Kingdom of Great Britain and Ireland and the Kingdom of Belgium by the notes exchanged between M. de Favereau and the Undersigned on the 27th July, 1898, undertakes to adhere to the conditions therein specified as soon as the Government of Belgium gives a corresponding engagement on its part.

The Undersigned avails, &c.

(Signed) F. R. PLUNKETT.

British Legation, Brussels,

January 5, 1899.

(No. 2.)

M. de Favereau to Sir F. Plunkett.

LE Soussigné, Ministre des Affaires Étrangères du Royaume de Belgique, a l'honneur de porter à la connaissance de son Excellence Sir Francis Plunkett, Envoyé Extraordinaire et Ministre Plénipotentiaire du Royaume-Uni de Grande-Bretagne et d'Irlande, comme suite à sa notification de ce jour, que, en attendant la signature d'un Traité définitif, le Gouvernement du Roi s'engage, sous condition de réciprocité, à étendre aux sujets et aux produits de Ceylan le *modus vivendi* établi le 27 Juillet,

1898, entre la Belgique et le Royaume-Uni de Grande-Bretagne et d'Irlande, sous les conditions et réserves stipulées dans le dit Arrangement.

Le Soussigné saisit, &c.

(Signé) P. DE FAVEREAU.

Bruxelles, le 5 Janvier, 1899.

(No. 3.)

Sir F. Plunkett to M. de Favereau.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Brussels, duly authorized thereto by Her Britannic Majesty's Government, has the honour to inform his Excellency M. de Favereau, Minister for Foreign Affairs of the Kingdom of Belgium, that the Government of Lagos, being anxious to be included in the *modus vivendi* established between the United Kingdom of Great Britain and Ireland and the Kingdom of Belgium by the notes exchanged between M. de Favereau and the Undersigned on the 27th July, 1898, undertakes to adhere to the conditions therein specified as soon as the Government of Belgium gives a corresponding engagement on its part.

The Undersigned avails, &c.

(Signed) F. R. PLUNKETT.

*British Legation, Brussels,
January 5, 1899.*

(No. 4.)

M. de Favereau to Sir F. Plunkett.

LE Soussigné, Ministre des Affaires Étrangères du Royaume de Belgique, a l'honneur de porter à la connaissance de son Excellence Sir Francis Plunkett, Envoyé Extraordinaire et Ministre Plénipotentiaire du Royaume-Uni de Grande-Bretagne et d'Irlande, comme suite à sa notification de ce jour, que, en attendant la signature d'un Traité définitif, le Gouvernement du Roi s'engage, sous condition de réciprocité, à étendre aux sujets et aux produits de Lagos le *modus vivendi* établi le 27 Juillet, 1898, entre la Belgique et le Royaume-Uni de Grande-Bretagne et d'Irlande, sous les conditions et réserves stipulées dans le dit Arrangement.

Le Soussigné saisit, &c.

(Signé) P. DE FAVEREAU.

Bruxelles, le 5 Janvier, 1899.

No. 16.

EXCHANGE OF NOTES EXTENDING TO QUEENSLAND THE PROVISIONAL "MODUS VIVENDI" BETWEEN GREAT BRITAIN AND BELGIUM PENDING THE CONCLUSION OF A TREATY OF COMMERCE AND NAVIGATION BETWEEN THE TWO COUNTRIES.

February 6, 1899.

(No. 1.)

Sir F. Plunkett to M. de Favereau.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Brussels, duly authorized thereto by Her Britannic Majesty's Government, has the honour to inform his Excellency M. de Favereau, Minister for Foreign Affairs of the Kingdom of Belgium, that the Government of Queensland, being anxious to be included in the *modus vivendi* established between the United Kingdom of Great Britain and Ireland and the Kingdom of Belgium by the notes exchanged between M. de Favereau and the Undersigned on the 27th July, 1898, undertakes to adhere to the conditions therein specified as soon as the Government of Belgium gives a corresponding engagement on its part.

The Undersigned avails, &c.

(Signed) F. R. PLUNKETT.

*British Legation, Brussels,
February 6, 1899.*

(No. 2.)

M. de Favereau to Sir F. Plunkett.

LE Soussigné, Ministre des Affaires Étrangères du Royaume de Belgique, a l'honneur de porter à la connaissance de son Excellence Sir Francis Plunkett, Envoyé Extraordinaire et Ministre Plénipotentiaire du Royaume-Uni de Grande-Bretagne et d'Irlande, comme suite à sa notification de ce jour, que, en attendant la signature d'un Traité définitif, le Gouvernement du Roi s'engage, sous condition de réciprocité, à étendre aux sujets et aux produits de Queensland le *modus vivendi* établi le 27 Juillet, 1898, entre la Belgique et le Royaume-Uni de Grande-

Bretagne et d'Irlande, sous les conditions et réserves stipulées dans le dit Arrangement.

Le Soussigné saisit, &c.

(Signé) P. DE FAVEREAU.

Bruxelles, le 6 Février, 1899.

No. 17.

EXCHANGE OF NOTES BETWEEN GREAT BRITAIN AND BELGIUM
AS TO THE RECIPROCAL PROTECTION OF TRADE-MARKS IN
CHINA.

September 15, 1904.

(No. 1.)

Sir C. Phipps to Baron de Favereau.

M. le Ministre, *Brussels, September 15, 1904.*

I DID not fail to communicate to His Majesty's Government your Excellency's note of the 31st ultimo, in which you notified to me the willingness of the Belgian Government to come to an agreement with His Majesty's Government upon the subject of mutual protection of trade-marks in China.

I have now the honour to inform your Excellency, by direction of the Marquess of Lansdowne, that His Majesty's Minister at Peking has been informed of the readiness of the Belgian Government to conclude with His Majesty's Government an arrangement for the mutual protection of British and Belgian trade-marks in China similar to those made by Belgium with other European Powers, and that Sir E. Satow has been requested to issue the necessary instructions to His Majesty's Consular officers in order that protection may be afforded in the British Consular Courts to Belgian trade-marks should they be infringed by British subjects.

I avail, &c.

(Signed) CONSTANTINE PHIPPS.

(No. 2.)

Baron de Favereau to Sir C. Phipps.

M. le Ministre, *Bruxelles, le 30 Septembre, 1904.*

J'AI sous les yeux la lettre que votre Excellence a bien voulu m'adresser le 15 Septembre courant au sujet de la protection réciproque des marques de fabrique Belges et Anglaises en Chine.

Cette communication constate que le Gouvernement de Sa Majesté Britannique a donné les instructions nécessaires pour que les Tribunaux Consulaires de la Grande-Bretagne assurent la protection légale des marques de fabrique appartenant à des ressortissants Belges et qui seraient l'objet de contrefaçons de la part de nationaux Anglais.

En donnant acte à votre Excellence de cette communication, j'ai l'honneur de lui faire savoir que le Gouvernement du Roi assurera, de son côté, dans l'Empire Chinois, la protection des marques de fabrique ou de commerce Anglaises régulièrement déposées en Belgique, et qui seraient contrefaites par des Belges ou des protégés Belges.

La Légation de Belgique à Pékin, ainsi que les Consulats, Vice-Consulats, et Agences Consulaires Belges en Chine, sont compétents pour connaître des réclamations dont ils seraient saisis en la matière.

J'ai eu soin d'informer notre Ministère à Pékin de même que nos Agents Consulaires en Chine de la réalisation entre la Belgique et la Grande-Bretagne de l'accord que constate l'échange de correspondance intervenu entre la Légation Britannique et mon Département.

Je saisis, &c.

(pour Baron de Favereau),

(Signé) J. DE TROOZ,

Ministre de l'Intérieur et de l'Instruction Publique.

No. 18.

AGREEMENT BETWEEN GREAT BRITAIN AND BELGIUM
RESPECTING COMMERCIAL TRAVELLERS' SAMPLES.

*Signed at Brussels, November 10, 1906.**

THE Government of His Majesty the King of the United Kingdom of Great Britain and Ireland, &c., &c., and the Government of His Majesty the King of the Belgians, being desirous of facilitating the clearance through their respective Customs Departments of samples of dutiable goods brought into the territories of one of them by commercial travellers of the other, to be used as models or patterns for the purpose of obtaining orders, and not for sale, mutually agree as follows:—

The marks, stamps, or seals placed upon such samples by the Customs authorities of one country at the time of exportation,

* Signed also in French.

and the officially attested list of such samples containing a full description thereof issued by the proper authority, shall be reciprocally accepted by the Customs officials of the other as establishing their character as samples and exempting them from inspection on importation except so far as may be necessary to establish that the samples produced are those enumerated in the list. The Customs authorities of either country may, however, affix a supplementary mark to such samples in special cases where they may think this precaution necessary.

Done in duplicate at Brussels, the 10th November, 1906.

(Signed) ARTHUR H. HARDINGE.
FAVEREAU.

Annex 1.

Sir A. Hardinge to M. de Favereau.

M. le Ministre, *Brussels, November 10, 1906.*

WITH reference to the Agreement concluded to-day between His Britannic Majesty's Government and that of His Majesty the King of the Belgians respecting commercial travellers' samples, I have the honour to place on record herewith, by way of explanation, that it is understood that the "acquit de transit" and declaration of free export referred to in the correspondence which preceded the arrangement, shall be recognized, the first by the Belgian Customs, and the second by the British Customs, as equivalent for every purpose to the official lists mentioned in the text of the Agreement.

I beg your Excellency to take note of and acknowledge the above declaration.

I avail, &c.

(Signed) ARTHUR H. HARDINGE.

Annex 2.

M. de Favereau to Sir A. Hardinge.

M. le Ministre, *Bruxelles, le 10 Novembre, 1906.*

J'AI l'honneur d'accuser la réception de la lettre que votre Excellence a bien voulu m'adresser à la date de ce jour au sujet de l'Arrangement intervenu entre les Gouvernements Belge et Britannique relativement aux échantillons des voyageurs de commerce des deux pays. Cette lettre constate qu'il est entendu que l'acquit de transit et la déclaration de libre sortie auxquels il a été

fait allusion dans la correspondance qui a précédé la conclusion de cet Arrangement seront reconnus, le premier par la Douane Belge et le second par la Douane Britannique, comme équivalents pour tous leurs effets aux listes officielles dont il est fait mention dans l'Arrangement.

En donnant acte à votre Excellence de sa déclaration, je saisis, &c.

(Signé)

FAVEREAU.

BOLIVIA.

No. 19.

TREATY OF AMITY, COMMERCE, AND NAVIGATION BETWEEN
GREAT BRITAIN AND BOLIVIA.*Signed at Sucre, September 29, 1840.***In the name of the Most Holy Trinity.*

EXTENSIVE commercial intercourse having been established for some time between the Dominions of Her Britannick Majesty and the Republick of Bolivia, it seems good for the security, as well as the encouragement, of such commercial intercourse, and for the maintenance of good understanding between Her said Britannick Majesty and the said Republick, that the relations now subsisting between them should be regularly acknowledged and confirmed by the signature of a Treaty of Amity, Commerce, and Navigation.

For this purpose they have named their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Belford Hinton Wilson, Esquire, and Chargé d'Affaires of Her Britannick Majesty at Lima:

And the Republick of Bolivia, the Citizen José Maria Linares, Minister of State for the Departments of the Home and Foreign Affairs;

Who, after having communicated to each other their Full Powers, found to be in due and proper form, have agreed upon and concluded the following Articles:—

ARTICLE I.

Friendship.

There shall be perpetual amity between the dominions and subjects of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Her Heirs and Successors, and the Republick of Bolivia, and its citizens.

* Signed also in Spanish.

ARTICLE II.

*Freedom of Commerce, Navigation and Residence.—Hiring,
&c., of Houses and Warehouses.*

There shall be between all the territories of Her Britannick Majesty in Europe, and the territories of the Republick of Bolivia, a reciprocal freedom of commerce. The subjects and citizens of the two countries, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers, in the territories aforesaid, to which other foreigners are or may be permitted to come, to enter into the same, and to remain and reside in any part of the said territories respectively; also to hire and occupy houses and warehouses for the purpose of their commerce; and, generally, the merchants and traders of each nation, respectively, shall enjoy the most complete protection and security for their commerce; subject always to the laws and statutes of the two countries respectively.

Vessels of War and Post Office Packets.

In like manner, the respective ships of war and post-office packets of the two countries shall have liberty freely and securely to come to all harbours, rivers, and places to which other foreign ships of war and packets are or may be permitted to come, to enter into the same, to anchor, and to remain there and refit; subject always to the laws and statutes of the two countries respectively.

Coasting Trade reserved.

By the right of entering the places, ports, and rivers, mentioned in this Article, the privilege of carrying on the coasting trade is not understood, in which national vessels only are permitted to engage.

ARTICLE III.

*Commerce and Navigation in British Dominions out of Europe.—
Most-favoured-nation Treatment.*

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland engages further that the inhabitants of the Republick of Bolivia shall have the like liberty of commerce and navigation stipulated for in the preceding Article, in all Her dominions situated out of Europe to the full extent in which the same is permitted at present, or shall be permitted hereafter, to any other nation.

ARTICLE IV.

Imports and Exports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No higher or other duties shall be imposed on the importation into the dominions of Her Britannick Majesty, of any article of the growth, produce, or manufacture of the Republick of Bolivia, and no higher or other duties shall be imposed on the importation into the territories of the Republick of Bolivia, of any articles of the growth, produce, or manufacture of Her Britannick Majesty's dominions, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country; nor shall any other or higher duties or charges be imposed in the territories or dominions of either of the Contracting Parties, on the exportation of any articles to the territories or dominions of the other, than such as are or may be payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed upon the exportation or importation of any article, the growth, produce, or manufacture of Her Britannick Majesty's dominions, or of the said territories of the Republick of Bolivia, to or from the said dominions of Her Britannick Majesty, or to or from the said territories of the Republick of Bolivia, which shall not equally extend to all other nations.

ARTICLE V.

Tonnage, Light, Pilotage, Salvage, and Harbour Dues.—National Treatment.

No higher or other duties or charges on account of tonnage, light, or harbour dues, pilotage, salvage in case of damage or shipwreck, or any other local charges, shall be imposed in any of the ports of the Republick of Bolivia on British vessels, than those payable in the same ports by Bolivian vessels; nor, in the ports of Her Britannick Majesty's territories, on Bolivian vessels, than shall be payable in the same ports on British vessels.

ARTICLE VI.

Imports and Exports in Vessels of either Country.—Duties, Bounties, Drawbacks.—National Treatment.

The same duties shall be paid on the importation into the territories of the Republick of Bolivia, of any article the growth, produce, or manufacture of Her Britannick Majesty's dominions, whether such importation shall be in Bolivian or in British

vessels; and the same duties shall be paid on the importation into the dominions of Her Britannick Majesty, of any article the growth, produce, or manufacture of the Republick of Bolivia, whether such importation shall be in British or in Bolivian vessels. The same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation to the ports of the Republick of Bolivia of any articles of the growth, produce, or manufacture of Her Britannick Majesty's dominions, whether such exportation shall be in Bolivian or in British vessels; and the same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any articles, the growth, produce, or manufacture of the Republick of Bolivia to Her Britannick Majesty's dominions, whether such exportation shall be in British or in Bolivian vessels.

ARTICLE VII.

National Vessels.

In order to avoid any misunderstanding with respect to the regulations which may respectively constitute a British or Bolivian vessel, it is hereby agreed, that no ship shall be admitted to be a ship of either country, unless she shall be of the built of such country, or have been made prize of war to such country, and condemned as such; or have been forfeited to such country under any law of the same made for the prevention of the Slave Trade, and condemned in any competent Court as forfeiture for a breach of such law; nor unless she be navigated by a master who is a subject of such country, and by a crew of whom three-fourths, at least, are subjects of such country; nor unless she be wholly owned by subjects of such country usually residing therein, or under the dominion thereof; excepting where the laws provide for any extreme cases.

Qualification of Vessels for Trading.

And it is further agreed, that no ship, admitted to be a ship of either country, shall be qualified to trade as above described, under the provisions of this Treaty, unless furnished with a register, passport, or sea-letter, under the signature of the proper person authorized to grant the same, according to the laws of the respective countries (the form of which shall be communicated) certifying the name, occupation, and residence of the owner or owners in the dominions of Her Britannick Majesty, or in the territories of the Republick of Bolivia as the case may be; and that he, or they, is or are, the sole owner or owners in the proportion to be specified; together with the name, burthen, and description of the vessel, as to build and measurement, and

the several particulars constituting the national character of the vessel, as the case may be.

ARTICLE VIII.

Transaction of Business.—Employment of Agents, &c.—Fixing of Prices of Goods.—National Treatment.

All merchants, commanders of ships, and others, the subjects of Her Britannick Majesty, shall have full liberty, in all the territories of the Republick of Bolivia, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as broker, factor, agent, or interpreter; nor shall they be obliged to employ any other persons for those purposes than those employed by Bolivians, nor to pay them any other salary or remuneration than such as is paid, in like cases, by Bolivian citizens; and absolute freedom shall be allowed, in all cases, to the buyer and seller, to bargain and fix the price of any goods, wares, or merchandize, imported into, or exported from, the Republick of Bolivia, as they shall see good, observing the laws and established customs of the country. The same privileges shall be enjoyed in the dominions of Her Britannic Majesty by the citizens of the Republick of Bolivia, under the same conditions.

Protection of Persons and Property.—Access to Courts.—Employment of Lawyers.—National Treatment.

The citizens and subjects of the Contracting Parties in the territories of each other shall receive and enjoy full and perfect protection for their persons and property, and shall have free and open access to the Courts of Justice in the said countries, respectively, for the prosecution and defence of their just rights; and they shall be at liberty to employ, in all causes, the advocates, attornies, or agents of whatever description, whom they may think proper; and they shall enjoy, in this respect, the same rights and privileges therein as native citizens.

ARTICLE IX.

Police of Ports, Loading and Unloading of Vessels, Succession to Estates, Disposal of Personal Property, Administration of Justice.—National Treatment.

In whatever relates to the police of the ports, the lading and unlading of ships, the safety of merchandize, goods, and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination, by sale, donation, exchange, or testament, or in any other manner whatsoever as also the administration of justice,

the subjects and citizens of the two Contracting Parties shall enjoy, in their respective dominions and territories, the same privileges, liberties, and rights, as native subjects; and shall not be charged, in any of these respects, with any higher imposts or duties, than those which are paid, or may be paid, by the native subjects or citizens of the Power in whose dominions or territories they may be resident; subject, of course, to the local laws and regulations of such dominions or territories.

Intestate Estates.

In the event of any subject or citizen of either of the two Contracting Parties dying without will or testament, in the dominions or territories of the said Contracting Parties, the Consul-General or Consul of the said nation, or, in his absence, his representative, shall have the right to nominate curators to take charge of the property of the deceased, so far as the laws of each country will permit, for the benefit of his lawful heirs and creditors, without interference, giving convenient notice thereof to the authorities of the country.

ARTICLE X.

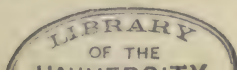
Exemption from Military Service and Forced Loans.—Taxation, &c.—National Treatment.

The subjects of Her Britannick Majesty residing in the Republic of Bolivia, and the natives and citizens of the Republic of Bolivia residing in the dominions of Her Britannick Majesty, shall be exempted from all compulsory military service whatsoever, whether by sea or land, and from all forced loans, or military exactions or requisitions; neither shall they be compelled, under any pretext whatsoever, to pay any other ordinary charges, requisitions, or taxes, greater than those that are paid by native subjects or citizens of the territories of the Contracting Parties respectively.

ARTICLE XI.

Appointment of Consuls.—Privileges of Diplomatic and Consular Agents.—Most-favoured-nation Treatment.

It shall be free for each of the two Contracting Parties to appoint Consuls for the protection of trade, to reside in the dominions and territories of the other Party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the Contracting Parties may except from the residence of Consuls such particular places as either of them may judge



fit to be excepted. The Diplomatic Agents and Consuls of the Republick of Bolivia shall enjoy, in the dominions of Her Britannick Majesty, whatever privileges, exceptions, and immunities are or shall be granted to Agents of the same rank belonging to the most favoured nation; and, in like manner, the Diplomatic Agents and Consuls of Her Britannick Majesty, in the territories of the Republick of Bolivia, shall enjoy, according to the strictest reciprocity, whatever privileges, exceptions, and immunities are or may be granted to the Diplomatic Agents and Consuls of the most favoured nation in the territories of the Republick of Bolivia.

ARTICLE XII.

Rupture of Friendly Relations.—Position of Persons and Property.—National Treatment.

For the better security of commerce between the subjects of Her Britannick Majesty and the citizens of the Republick of Bolivia, it is agreed that if at any time any interruption of friendly intercourse, or any rupture should unfortunately take place between the two Contracting Parties, the subjects or citizens of either of the two Contracting Parties residing upon the coasts shall be allowed six months, and those residing in the interior a whole year, to wind up their accounts and dispose of their property; and a safe-conduct shall be given them to embark at the port which they shall themselves select. All such subjects or citizens of either of the two Contracting Parties who are established in the dominions or territories of the other, in the exercise of any trade or special employment shall have the privilege of remaining or continuing such trade and employment therein, without any manner of interruption, in full enjoyment of their liberty and property, as long as they behave peaceably and commit no offence against the laws; and their goods and effects, of whatever description they may be, whether in their own custody or entrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property belonging to the native subjects or citizens of the dominions or territories in which such subjects or citizens may reside. In the same case, debts between individuals, public funds, and the shares of companies, shall never be confiscated, sequestered, or detained.

ARTICLE XIII.

Protection of Persons and Property.—Liberty of Conscience, Freedom of Religious Worship.—Burials.

The subjects of Her Britannick Majesty and the citizens of the Republick of Bolivia, respectively, shall enjoy in their houses,

persons, and properties, the protection of the Government, and continue in possession of the privileges which they now enjoy. And the subjects of Her Britannick Majesty residing in the territories of the Republick of Bolivia shall furthermore enjoy the most perfect and entire security of conscience, without being annoyed, prevented, or disturbed on account of their religious belief. Neither shall they be annoyed, molested, or disturbed in the proper exercise of their religion, provided that this take place in private houses, and with the decorum due to divine worship, with due respect to the laws, usages, and customs of the country. In the like manner, the citizens of the Republick of Bolivia shall enjoy, within all the dominions of Her Britannick Majesty, a perfect and unrestrained liberty of conscience, and of exercising their religion publicly or privately, within their own dwelling-houses, or in the chapels and places of worship appointed for that purpose, agreeably to the system of toleration established in the dominions of Her said Majesty. Liberty shall also be granted to bury the subjects or citizens of either of the two Contracting Parties, who may die in the dominions or territories of the other, in burial places of their own, which, in the same manner, they may freely establish and maintain; nor shall the funerals or sepulchres of the dead be disturbed in any way, or upon any account.

ARTICLE XIV.

Abolition of Slave Trade.

The Government of the Republick of Bolivia engages to co-operate with Her Britannick Majesty for the total abolition of the Slave Trade, and to prohibit all persons inhabiting within the territories of the Republick of Bolivia, or subject to their jurisdiction, in the most effectual manner, and by the most solemn laws, from taking any share in such trade.

ARTICLE XV.

Right to make further Articles to be regarded as forming part of Treaty.

The two Contracting Parties reserve to themselves the right of treating and of agreeing hereafter, from time to time, upon such other Articles as may appear to them to contribute still further to the improvement of their mutual intercourse, and to the advancement of the general interests of their respective subjects and citizens; and such Articles as may be so agreed upon, shall, when duly ratified, be regarded as forming a part of the present Treaty, and shall have the same force as those now contained in it.

ARTICLE XVI.

Ratifications.

The present Treaty shall be ratified, and the ratifications shall be exchanged at London or at Sucre, within the space of twenty months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed, in triplicate originals, English and Spanish, the present Treaty, and affixed thereto their respective seals.

Done at Sucre, this twenty-ninth day of September, in the year of our Lord one thousand eight hundred and forty.

(L.S.) BELFORD HINTON WILSON.
(L.S.) JOSE M^a. LINARES.

ADDITIONAL ARTICLES.

ARTICLE I.

Bolivian National Vessels.

Whereas, in the present state of Bolivian shipping, it would not be possible for the said Republick to receive the full advantage of the reciprocity established by the Articles V, VI, and VII of the Treaty signed this day, if that part of the VIIIth Article which stipulates that, in order to be considered as a Bolivian ship, a ship shall actually have been built in the Republick of Bolivia, should be strictly and literally observed, and immediately brought into operation; it is agreed that, for the space of fifteen years, to be reckoned from the date of the exchange of the ratifications of this Treaty, any ships, wheresoever built, being *bonâ fide* the property of, and wholly owned by, one or more citizens of the Republick of Bolivia, and whereof the master and three-fourths of the mariners, at least, are also natural-born citizens of the Republick of Bolivia, or persons domiciliated in the Republick of Bolivia by act of the Government, as lawful subjects of the Republick of Bolivia, to be certified according to the laws of that country, shall be considered as Bolivian ships; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland reserving to Herself the right, at the end of the said term of fifteen years, to claim the principle of reciprocal restriction stipulated for in the Article VII, above referred to, if the interests of British navigation shall be found to be prejudiced by the present exception to that reciprocity, in favour of Bolivian shipping.

ARTICLE II.

Vessels and Cargoes.—Import Duties.—Export Duties.—Bounties and Drawbacks.—Most-favoured-nation Treatment.

It is further agreed that, for the like term of fifteen years, the stipulations contained in the Articles V and VI of the present Treaty shall be suspended; and, in lieu thereof, it is hereby agreed, that until the expiration of the said term of fifteen years, British ships entering into the ports of the Republic of Bolivia, from the United Kingdom of Great Britain and Ireland, or any other of Her Britannick Majesty's dominions, and all articles, the growth, produce, or manufacture of the United Kingdom, or of any of the said dominions, imported in such ships, shall pay no other or higher duties than are or may hereafter be payable, in the said ports, by the ships, and the like goods, the growth, produce, or manufacture of the most favoured nation; and, reciprocally, it is agreed that Bolivian ships entering into the ports of the United Kingdom of Great Britain and Ireland, or any other of Her Britannick Majesty's dominions, from any port of the Republic of Bolivia, and all articles the growth, produce, or manufacture of the said Republic, imported in such ships, shall pay no other or higher duties than are or may hereafter be payable in the said ports, by the ships and the like goods, the growth, produce, or manufacture of the most favoured nation; and that no higher duties shall be paid, or bounties or drawbacks allowed, on the exportation of any article, the growth, produce, or manufacture of the dominions of either country, in the ships of the other, than upon the exportation of the like articles in the ships of any other foreign country.

It being understood that, at the end of the said term of fifteen years, the stipulations of the said Vth and VIth Articles shall, from thenceforward, be in full force between the two countries.

ARTICLE III.

Languages of Treaty.

If in the drawing up of this Treaty in the Spanish language, any involuntary error has been made in the translation, the English text is to be adhered to.

The present Additional Articles shall have the same force and validity as if they were inserted, word for word, in the Treaty signed this day. They shall be ratified, and the ratifications shall be exchanged at the same time,

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at Sucre, this twenty-ninth day of September, in the year of our Lord one thousand eight hundred and forty.

(L.S.) BELFORD HINTON WILSON.
(L.S.) JOSE M^a LINARES.

BORNEO.

No. 20.

TREATY OF FRIENDSHIP AND COMMERCE BETWEEN GREAT
BRITAIN AND BORNEO.

*Signed May 27, 1847.**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous to encourage commerce between Her Majesty's subjects and the subjects of the independent Princes of the Eastern Seas, and to put an end to piracies which have hitherto obstructed that commerce; and His Highness Omar Ali Saifadeen, who sits upon the throne and rules the territories of Borneo, being animated by corresponding dispositions, and being desirous to co-operate in any measures which may be necessary for the attainment of the above-mentioned objects; Her said Britannick Majesty and the Sultan of Borneo have agreed to record their determination in these respects by a Convention containing the following Articles:—

ARTICLE I.

Peace and Friendship.

Peace, friendship, and good understanding shall from henceforward and for ever subsist between Her Majesty the Queen of Great Britain and Ireland and His Highness Omar Ali Saifadeen, Sultan of Borneo, and between their respective heirs and successors, and subjects.

ARTICLE II.

Commerce, Travel, and Residence. — Most-favoured-nation Treatment.

The subjects of Her Britannick Majesty shall have full liberty to enter into, reside in, trade with, and pass with their

* Signed also in Malay.

merchandize through, all parts of the dominions of His Highness the Sultan of Borneo, and they shall enjoy therein all the privileges and advantages with respect to commerce, or otherwise, which are now or which may hereafter be granted to the subjects or citizens of the most favoured nation; and the subjects of His Highness the Sultan of Borneo shall in like manner be at liberty to enter into, reside in, trade with, and pass with their merchandize through, all parts of Her Britannick Majesty's dominions in Europe and Asia, as freely as the subjects of the most favoured nation, and they shall enjoy in those dominions all the privileges and advantages with respect to commerce, or otherwise, which are now or which may hereafter be granted therein to the subjects or citizens of the most favoured nation.

ARTICLE III.

Acquisition of Property.—Protection of Persons and Property.

British subjects shall be permitted to purchase, rent, or occupy, or in any other legal way to acquire, all kinds of property within the dominions of His Highness the Sultan of Borneo; and His Highness engages that such British subjects shall, as far as lies in his power, within his dominions, enjoy full and complete protection and security for themselves and for any property which they may so acquire in future, or which they may have acquired already, before the date of the present Convention.

ARTICLE IV.

Freedom of Importation and Exportation.—Customs Duties.

No article whatsoever shall be prohibited from being imported into or exported from the territories of His Highness the Sultan of Borneo; but the trade between the dominions of Her Britannick Majesty and the dominions of His Highness, shall be perfectly free, and shall be subject only to the custom duties which may hereafter be in force in regard to such trade.

ARTICLE V.

Tonnage Dues.—Exemption of British Trade and Goods from Internal Duties.

No duty exceeding one dollar per registered ton shall be levied on British vessels entering the ports of His Highness

the Sultan of Borneo, and this fixed duty of one dollar per ton to be levied on all British vessels, shall be in lieu of all other charges or duties whatsoever. His Highness moreover engages that British trade and British goods shall be exempt from any internal duties, and also from any injurious regulations which may hereafter, from whatever causes, be adopted in the dominions of the Sultan of Borneo.

ARTICLE VI.

No Export Duty in Borneo.

His Highness the Sultan of Borneo agrees that no duty whatever shall be levied on the exportation from His Highness' dominions of any article, the growth, produce, or manufacture of those dominions.

ARTICLE VII.

Admission of War Vessels to Ports, &c., of Borneo.

His Highness the Sultan of Borneo engages to permit the ships of war of Her Britannick Majesty, and those of the East India Company, freely to enter into the ports, rivers, and creeks, situated within his dominions, and to allow such ships to provide themselves at a fair and moderate price with such supplies, stores, and provisions, as they may from time to time stand in need of.

ARTICLE VIII.

Wrecks and Salvage.

If any vessel under the British flag should be wrecked on the coast of the dominions of His Highness the Sultan of Borneo, His Highness engages to give all the assistance in his power to recover for, and to deliver over to, the owners thereof, all the property which can be saved from such vessels. His Highness further engages to extend to the officers and crew, and to all other persons on board such wrecked vessel, full protection both as to their persons and as to their property.

ARTICLE IX.

Suppression of Piracy and Slave Trade.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Sultan of Borneo, hereby engage

to use every means in their power for the suppression of piracy within the seas, straits, and rivers subject to their respective control or influence; and His Highness the Sultan of Borneo engages not to grant either asylum or protection to any persons or vessels engaged in piratical pursuits; and in no case will he permit ships, slaves, or merchandize captured by pirates, to be introduced into his dominions, or to be exposed therein for sale. And Her Britannick Majesty claims, and His Highness the Sultan of Borneo concedes to Her Majesty, the right of investing her officers, and other duly constituted authorities, with the power of entering at all times, with her vessels of war, or other vessels duly empowered, the ports, rivers, and creeks within the dominions of His Highness the Sultan of Borneo, in order to capture all vessels engaged in piracy or slave-dealing, and to seize and to reserve for the judgment of the proper authorities all persons offending against the Two Contracting Powers in these respects.

ARTICLE X.

*Cession of Labuan and Adjacent Islands to Great Britain.—
No similar cession to other Powers without British consent.*

It being desirable that British subjects should have some port where they may careen and refit their vessels, and where they may deposit such stores and merchandize as shall be necessary for the carrying on of their trade with the dominions of Borneo, His Highness the Sultan hereby confirms the cession already spontaneously made by him in 1845, of the Island of Labuan, situated on the north-west coast of Borneo, together with the adjacent Islets of Kuraman, Little Rusakan, Great Rusakan, Da-at, and Malankasan, and all the straits, islets, and seas, situated half way between the fore-mentioned islets and the main land of Borneo. Likewise the distance of ten geographical miles from the Island of Labuan to the westward and northward, and from the nearest point half way between the Islet of Malankasan and the main land of Borneo, in a line running north till it intersects a line extended from west to east from a point ten miles to the northward of the northern extremity of the Island of Labuan, to be possessed in perpetuity and in full sovereignty by Her Britannick Majesty and her successors; and in order to avoid occasions of difference which might otherwise arise, His Highness the Sultan engages not to make any similar cession, either of an island, or of any settlement on the main land, in any part of his dominions, to any other nation, or to the subjects or citizens thereof, without the consent of Her Britannick Majesty.

ARTICLE XI.

Abolition of Slave Trade.

Her Britannick Majesty being greatly desirous of effecting the total abolition of the trade in Slaves, His Highness the Sultan of Borneo, in compliance with Her Majesty's wish, engages to suppress all such traffick on the part of his subjects, and to prohibit all persons residing within his dominions, or subject to him, from countenancing or taking any share in such trade; and His Highness further consents that all subjects of His Highness who may be found to be engaged in the Slave Trade, may, together with their vessels, be dealt with by the cruizers of Her Britannick Majesty, as if such persons and their vessels had been engaged in a piratical undertaking.

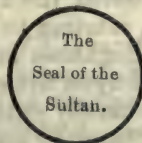
ARTICLE XII.

Ratifications.

This Treaty shall be ratified, and the Ratifications thereof shall be exchanged at Brunei, within twelve months after this date.

This Twenty-seventh day of May, 1847.

(L.S.) JAMES BROOKE.



ADDITIONAL ARTICLE.

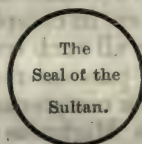
British Consular Jurisdiction in Borneo.

His Highness the Sultan of Borneo agrees that in all cases when a British subject shall be accused of any crime committed in any part of His Highness' dominions, the person so accused shall be exclusively tried and adjudged by the English Consul-General, or other officer duly appointed for that purpose by Her Britannick Majesty; and in all cases where disputes or differences shall arise between British subjects, or between British subjects and the subjects of His Highness, or between British subjects and the subjects of any other foreign Power, within the dominions of the Sultan of Borneo, Her Britannick Majesty's Consul-General, or other duly appointed officer, shall have power to hear and decide the same, without any inter-

ference, molestation, or hindrance, on the part of any authority of Borneo, either before, during, or after the litigation.

This Twenty-seventh day of May, 1847.

(L.S.) JAMES BROOKE.



No. 21.

DECLARATION BY THE SULTAN OF BORNEO, EXTENDING THE PROVISIONS OF CLAUSE VIII OF THE TREATY WITH GREAT BRITAIN OF THE 27TH MAY, 1847, TO THE CASE OF WRECKED VESSELS BELONGING TO STATES IN AMITY WITH GREAT BRITAIN.

August 17, 1878.

His Highness Abdul Mumin, Sultan of Borneo, for himself, his heirs and successors, hereby declares that, from the date of this Declaration, the provisions of the VIIIth Article of the Treaty dated the 27th May, 1847, between Great Britain and Borneo, relating to the assistance and protection to be afforded by His Highness in the case of vessels under the British flag wrecked upon the coasts of His Highness' dominions, shall be and are hereby extended to the case of wrecked vessels belonging to States in amity with Great Britain, the clause referred to being in the following terms :—

“ Clause VIII. If any vessel under the British flag should be wrecked on the coasts of the dominions of His Highness the Sultan of Borneo, His Highness engages to give all the assistance in his power to recover for and to deliver over to the owners thereof all the property which can be saved from such vessels. His Highness further engages to extend to the officers and crew, and to all other persons on board such wrecked vessel, full protection both as to their persons and as to their property.”

This 17th day of August, 1878.

(Seal of His Highness the Sultan of Borneo.)

(Signed) W. H. TREACHER,

Her Britannic Majesty's Acting Consul-General in Borneo.

CHINA.

No. 22.

TREATY BETWEEN GREAT BRITAIN AND CHINA.

(Treaty of Nanking.)

*Signed at Nanking, August 29, 1842,***[Ratifications exchanged at Hong Kong, June 26, 1843.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, being desirous of putting an end to the misunderstandings and consequent hostilities which have arisen between the two countries, have resolved to conclude a Treaty for that purpose, and have therefore named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of Great Britain and Ireland, Sir Henry Pottinger, Bart., a Major-General in the service of the East India Company, &c., &c.;

And His Imperial Majesty the Emperor of China, the High Commissioners Keying, a Member of the Imperial House, a Guardian of the Crown Prince, and General of the garrison of Canton; and Elepoo, of the Imperial Kindred, graciously permitted to wear the insignia of the first rank, and the distinction of a peacock's feather, lately Minister and Governor-General, &c., and now Lieutenant-General commanding at Chapoo;†

Who, after having communicated to each other their respective Full Powers, and found them to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

Peace and Friendship.—Protection of Persons and Property.

There shall henceforward be Peace and Friendship between Her Majesty the Queen of the United Kingdom of Great

* Signed also in Chinese.

† Although only two Chinese Plenipotentiaries are here named, the Treaty was in fact signed by three.

Britain and Ireland and His Majesty the Emperor of China, and between their respective subjects, who shall enjoy full security and protection for their persons and property within the dominions of the other.

ARTICLE II.

Amoy, Canton, Foochowfoo, Ningpo, and Shanghae opened to British Subjects and their Trade.

His Majesty the Emperor of China agrees, that British subjects, with their families and establishment, shall be allowed to reside, for the purpose of carrying on their mercantile pursuits, without molestation or restraint, at the cities and towns of Canton, Amoy, Foochowfoo, Ningpo, and Shanghae; and Her Majesty the Queen of Great Britain, &c., will appoint Superintendents, or Consular Officers, to reside at each of the above-named cities or towns, to be the medium of communication between the Chinese authorities and the said merchants, and to see that the just duties and other dues of the Chinese Government, as hereafter provided for, are duly discharged by Her Britannick Majesty's subjects.

ARTICLE III.

Cession of Island of Hong Kong to Great Britain.

It being obviously necessary and desirable that British subjects should have some port whereat they may careen and refit their ships when required, and keep stores for that purpose, His Majesty the Emperor of China cedes to Her Majesty the Queen of Great Britain, &c., the Island of Hong Kong, to be possessed in perpetuity by Her Britannick Majesty, her Heirs and Successors, and to be governed by such laws and regulations as Her Majesty the Queen of Great Britain, &c., shall see fit to direct.

ARTICLE IV.

Indemnity.—Payment by China of 6,000,000 dollars, for Opium delivered up as a Ransom for British Subjects.

The Emperor of China agrees to pay the sum of six millions of dollars, as the value of the opium which was delivered up at Canton in the month of March, 1839, as a ransom for the lives of Her Britannick Majesty's Superintendent and subjects,

who had been imprisoned and threatened with death by the Chinese High Officers.

ARTICLE V.

Abolition of Privileges of Hong Merchants at Ports open to British Merchants.—Payment by China of 3,000,000 dollars for Debts due to British Subjects by Hong Merchants.

The Government of China having compelled the British merchants trading at Canton to deal exclusively with certain Chinese merchants, called Hong Merchants (or Co-Hong), who had been licensed by the Chinese Government for that purpose, the Emperor of China agrees to abolish that practice in future at all ports where British merchants may reside, and to permit them to carry on their mercantile transactions with whatever persons they please; and His Imperial Majesty further agrees to pay to the British Government the sum of three millions of dollars, on account of debts due to British subjects by some of the said Hong Merchants, or Co-Hong, who have become insolvent, and who owe very large sums of money to subjects of Her Britannick Majesty.

ARTICLE VI.

Indemnity.—Payment by China of 12,000,000 dollars for Expenses of British Expedition.—Deduction of Ransom for Chinese Towns.

The Government of Her Britannick Majesty having been obliged to send out an expedition to demand and obtain redress for the violent and unjust proceedings of the Chinese High Authorities towards Her Britannick Majesty's Officer and subjects, the Emperor of China agrees to pay the sum of twelve millions of dollars, on account of the expenses incurred; and Her Britannick Majesty's Plenipotentiary voluntarily agrees, on behalf of Her Majesty, to deduct from the said amount of twelve millions of dollars, any sums which may have been received by Her Majesty's combined forces, as ransom for cities and towns in China, subsequent to the 1st day of August, 1841.

ARTICLE VII.

Periods for Payment to be made by China of Indemnities of 21,000,000 dollars.

It is agreed, that the total amount of twenty-one millions of dollars, described in the three preceding Articles, shall be paid as follows:—

Six millions immediately.

Six millions in 1843; that is, three millions on or before the 30th of the month of June, and three millions on or before the 31st of December.

Five millions in 1844; that is, two millions and a half on or before the 30th of June, and two millions and a half on or before the 31st of December.

Four millions in 1845; that is, two millions on or before the 30th of June, and two millions on or before the 31st of December.

Interest on Arrears.

And it is further stipulated, that interest, at the rate of 5 per cent. per annum, shall be paid by the Government of China on any portion of the above sums that are not punctually discharged at the periods fixed.

ARTICLE VIII.

All British Subjects (European and Indian) confined in China to be released.

The Emperor of China agrees to release, unconditionally, all subjects of Her Britannick Majesty (whether natives of Europe or India), who may be in confinement at this moment in any part of the Chinese Empire.

ARTICLE IX.

Amnesty. Release and Indemnity to Chinese formerly in British Employ.

The Emperor of China agrees to publish and promulgate, under His Imperial Sign Manual and Seal, a full and entire amnesty and act of indemnity to all subjects of China, on account of their having resided under, or having had dealings and intercourse with, or having entered the service of, Her Britannick Majesty, or of Her Majesty's officers; and His Imperial Majesty further engages to release all Chinese subjects who may be at this moment in confinement for similar reasons.

ARTICLE X.

Tariff to be issued of Import, Export and Transit Duties.

His Majesty the Emperor of China agrees to establish at all the ports which are, by the Second Article of this Treaty, to be thrown open for the resort of British merchants, a fair and regular Tariff of export and import customs and other dues,

which Tariff shall be publicly notified and promulgated for general information; and the Emperor further engages, that when British merchandize shall have once paid at any of the said ports the regulated customs and dues, agreeable to the Tariff to be hereafter fixed, such merchandize may be conveyed by Chinese merchants to any province or city in the interior of the Empire of China, on paying a further amount as transit duties, which shall not exceed* per cent. on the tariff value of such goods.

ARTICLE XI.

Correspondence between British and Chinese Authorities.

It is agreed that Her Britannick Majesty's Chief High Officer in China shall correspond with the Chinese High Officers, both at the Capital and in the Provinces, under the term "communication" 照會; the subordinate British Officers and Chinese High Officers in the Provinces, under the terms "statement" 申陳 on the part of the former, and on the part of the latter, "declaration" 剖行, and the subordinates of both countries on a footing of perfect equality: merchants and others not holding official situations, and therefore not included in the above, on both sides, to use the term "representation" 稟明 in all papers addressed to, or intended for the notice of, the respective Governments.

ARTICLE XII.

Evacuation of Nanking, Chinhai, and Grand Canal by British.—Retention of Koolangsoo and Chusan until Settlement of Money Payments and Opening of Ports.

On the assent of the Emperor of China to this Treaty being received, and the discharge of the first instalment of money, Her Britannick Majesty's forces will retire from Nanking and the Grand Canal, and will no longer molest or stop the trade of China. The military post at Chinhai will also be withdrawn; but the Islands of Koolangsoo, and that of Chusan, will continue to be held by Her Majesty's forces until the money payments, and the arrangements for opening the ports to British merchants, be completed.

* See Declaration on this subject, which follows the Treaty.

ARTICLE XIII.

Exchange of Ratifications.—Provisions of Treaty to take Effect in Meantime.

The Ratification of this Treaty by Her Majesty the Queen of Great Britain, &c., and His Majesty the Emperor of China, shall be exchanged as soon as the great distance which separates England from China will admit; but in the meantime, counterpart copies of it, signed and sealed by the Plenipotentiaries on behalf of their respective Sovereigns, shall be mutually delivered, and all its provisions and arrangements shall take effect.

Done at Nanking, and signed and sealed by the Plenipotentiaries on board Her Britannick Majesty's ship "Cornwallis," this twenty-ninth day of August, 1842; corresponding with the Chinese date, twenty-fourth day of the seventh month, in the twenty-second year of Taoukwang.

(L.S.) HENRY POTTINGER,
Her M.'s Plenipotentiary.

Seal of
the Chinese
High
Commissioner.

Signature
of 3rd
Chinese
Plenipotentiary.

Signature
of 2nd
Chinese
Plenipotentiary.

Signature
of 1st
Chinese
Plenipotentiary.

No. 23.

DECLARATION BETWEEN GREAT BRITAIN AND CHINA RESPECTING
TRANSIT DUTIES.

*Signed at Hong Kong, June 26, 1843.**

Limitation of Duties to Existing Amount.

WHEREAS by the Tenth Article of the Treaty between Her Majesty the Queen of the United Kingdom of Great Britain and

* Signed also in Chinese.

Ireland, and His Majesty the Emperor of China, concluded and signed on board Her Britannick Majesty's ship "Cornwallis," at Nanking, on the 29th day of August, 1842, corresponding with the Chinese date 24th day of the 7th month, in the 22nd year of Taoukwang, it is stipulated and agreed, that His Majesty the Emperor of China shall establish at all the ports which, by the Second Article of the said Treaty, are to be thrown open for the resort of British merchants, a fair and regular Tariff of export and import customs and other dues, which Tariff shall be publicly notified and promulgated for general information; and further, that when British merchandize shall have once paid, at any of the said ports, the regulated customs and dues, agreeably to the Tariff to be hereafter fixed, such merchandize may be conveyed by Chinese merchants to any province or city in the interior of the Empire of China, on paying a further amount of duty as transit duty;

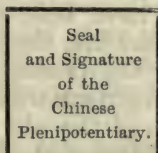
And whereas the rate of transit duty to be so levied was not fixed by the said Treaty:

Now, therefore, the undersigned Plenipotentiaries of Her Britannick Majesty, and of His Majesty the Emperor of China, do hereby, on proceeding to the exchange of the Ratifications of the said Treaty, agree and declare, that the further amount of duty to be so levied on British merchandize, as transit duty, shall not exceed the present rates, which are upon a moderate scale; and the Ratifications of the said Treaty are exchanged subject to the express declaration and stipulation herein contained.

In witness whereof the respective Plenipotentiaries have signed the present Declaration, and have affixed thereto their respective seals.

Done at Hong-Kong, the 26th day of June, one thousand eight hundred and forty-three, corresponding with the Chinese date, Taoukwang twenty-third year, fifth month, and twenty-ninth day.

(L.S.) HENRY POTTINGER.



TARIFF OF DUTIES ON THE FOREIGN TRADE WITH CHINA.

[Replaced by Tariff of August 29, 1902, see p. 147.]

No. 24.

CONVENTION BETWEEN GREAT BRITAIN AND CHINA, RELATIVE
TO THE ADMISSION OF FOREIGNERS INTO THE CITY OF
CANTON, AND TO THE EVACUATION OF THE ISLAND OF
CHUSAN BY THE BRITISH FORCES.

Signed at Bocca Tigris, April 4, 1846.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, having, with a view to the settlement of all questions between the two countries, and for the preservation of mutual harmony and good understanding, appointed as their Plenipotentiaries, that is to say, Her Majesty the Queen of Great Britain and Ireland, Sir John Francis Davis, a Baronet of the United Kingdom, Governor and Commander-in-Chief of Her Majesty's Colony of Hong Kong, &c., and His Majesty the Emperor of China, the High Commissioner Keying, a Member of the Imperial House, a Cabinet Councillor, a Guardian of the Crown Prince, and Governor-General of the Two Kwang Provinces;

The said Plenipotentiaries respectively have, in pursuance of the above-mentioned ends, and after communicating to each other their respective Full Powers, and finding them to be in good and due form, agreed upon and concluded the following Articles:—

ARTICLE I.

Admission of Foreigners into City of Canton.

His Majesty the Emperor of China having, on his own part, distinctly stated that when in the course of time mutual tranquillity shall have been insured, it will be safe and right to admit foreigners into the city of Canton, and the local authorities being for the present unable to coerce the people of that city, the Plenipotentiaries on either side mutually agree that the execution of the above measure shall be postponed to a more favourable period; but the claim of right is by no means yielded or abandoned on the part of Her Britannic Majesty.

ARTICLE II.

Liberty and Protection of British Subjects outside Canton.

British subjects shall in the meanwhile enjoy full liberty and protection in the neighbourhood, on the outside of the

city of Canton, within certain limits fixed according to previous Treaty, comprising 70 localities of which the names were communicated by the district magistrates to the British Consul on the 21st November, 1845. They may likewise make excursions on the two sides of the river, where there are not numerous villages.

ARTICLE III.

British Evacuation of Chusan.—The Island never to be ceded to any Foreign Power.

It is stipulated, on the part of His Majesty the Emperor of China, that on the evacuation of Chusan by Her Britannic Majesty's forces, the said island shall never be ceded to any other foreign Power.

ARTICLE IV.

British Protection of Chusan in Event of Hostile Attack.

Her Britannic Majesty consents, upon her part, in the case of the attack of an invader, to protect Chusan and its dependencies, and to restore it to the possession of China as of old; but as this stipulation proceeds from the friendly alliance between the two nations, no pecuniary subsidies are to be due from China on this account.

ARTICLE V.

Immediate Evacuation of Chusan by British Troops.

Upon the receipt of the sign-manual of His Majesty the Emperor of China to these presents, it is agreed, on account of the distance which separates the two countries, that the Island of Chusan shall be immediately delivered over to the Chinese Authorities; and on the ratification of the present Convention by Her Britannic Majesty, it shall be mutually binding on the High Contracting Powers.

Done at Bocca Tigris, and signed and sealed by the Plenipotentiaries, this 4th day of April, 1846, corresponding with the Chinese date Taoukwang, 26th year, 3rd moon, 9th day.

(L.S.) KEYING.

(L.S.) J. F. DAVIS.

No. 25.

AGREEMENT OF THE CHINESE COMMISSIONER, KEYING, RELATIVE
TO THE ENTRANCE OF BRITISH SUBJECTS INTO CANTON;
THE TRADE AT HONAN; AND THE ERECTION OF CHURCHES
AT THE PORTS OF TRADE.

April 6, 1847.

(Translation.)

KEYING, High Imperial Commissioner, &c., sends the following reply to each of the proposed arrangements which were made yesterday officially:—

Entrance of British Subjects into Canton.

1. The intention of returning my visit in the city is excellent, but the time for it ought still somewhat to be delayed. It is therefore now agreed that 2 years from this day's date British officers and people shall have free entrance into the city.

Punishment of Insults to Englishmen.

2. Whenever Englishmen go on shore to walk and meet with insult, the local authorities must investigate the matter and punish [the aggressors]: and the space of 1 day's journey, just as at Shanghae, is also assigned at Canton [for such excursions].

3. The criminals who in October last year wounded some Englishmen, have, though pursued, not yet been taken. As, however, vigilant search is made at present after them, they will soon be apprehended.

I have on account of the assault made in March, frequently sent officers to Fuhshan to investigate and manage this affair. The deputed mandarins now report that they have already traced [the aggressors], and several of them will be caught within 2 or 3 days, and sent to the provincial city to be judged. One of our mandarins will then settle as to the place where they are to receive punishment, with an officer of your honourable country, that it may be done without loss of time.

Trade of Honan.

4. The territory of Honan is a place for trade, the renting of warehouses or of ground for building houses is therefore fully conceded. This will be managed properly by the Consul and the local authorities in accordance with the provisions of the Treaty.

Erection of Churches at Ports of Trade.

5. According to the American and French Treaties, the building of churches in the Five Ports is conceded, and it is therefore agreed upon that a spot in the neighbourhood of the foreign factories, outside of them, may be rented for erecting one. It is a laudable act to rent ground at Whampoa for making graves, and likewise in conformity with the Treaty. The Consul in conjunction with the local authorities will settle this matter properly according to the Treaty.

Building of a Bridge, &c., at Whampoa.

6. I have already given orders to the old Hong merchant to carry into effect [the affairs about the building of the bridge and cookhouse], and shall urge him to do this properly.

Canton River to be kept clear of Boats.

7. The 7th Article is proposed with a view of preventing the creating of disturbance between the mariners of our respective countries, and hence the river [before the foreign factories] must be kept clear [of boats]. We shall therefore order the officers of that station to drive away [the boats] from time to time.

The above seven propositions are now all agreed upon; and I submit this clear reply to the consideration of you, the Honourable Envoy, addressing the same.

To his Excellency Her Britannic Majesty's Plenipotentiary, Sir John F. Davis, Bart., &c.

Taoukwang, 27th year, 2nd month, 21st day. (April 6, 1847.)

No. 26.

TREATY OF PEACE, FRIENDSHIP, AND COMMERCE BETWEEN
GREAT BRITAIN AND CHINA.

(Treaty of Tien-tsin.)

*Signed at Tien-tsin, June 26, 1858.**

[Ratifications exchanged at Peking, October 24, 1860.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, being desirous to put an end to the existing misunderstanding between the two countries, and to place their relations on a more satisfactory footing in future, have resolved to proceed to a revision and improvement of the Treaties existing between them, and, for that purpose, have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of Great Britain and Ireland, the Right Honourable the Earl of Elgin and Kincardine, a Peer of the United Kingdom, and Knight of the Most Ancient and Most Noble Order of the Thistle;

And His Majesty the Emperor of China, the High Commissioners Kweiliang, a Senior Chief Secretary of State, styled of the East Cabinet, Captain-General of the Plain White Banner of the Manchu Banner Force, Superintendent-General of the Administration of Criminal Law; and Hwashiana, one of His Imperial Majesty's Expositors of the Classics, Manchu President of the Office for the regulation of the Civil Establishment, Captain-General of the Bordered Blue Banner of the Chinese Banner Force, and Visitor of the Office of Interpretation;

Who, after having communicated to each other their respective full powers, and found them to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

Confirmation of Treaty of August 29, 1842.

The Treaty of Peace and Amity between the two nations, signed at Nanking on the twenty-ninth day of August, in the

* Signed also in Chinese.

year eighteen hundred and forty-two, is hereby renewed and confirmed.

Abrogation of Trade Regulations of July, 1843, and of Supplementary Treaty of October, 1843.

The Supplementary Treaty and General Regulations of Trade having been amended and improved, and the substance of their provisions having been incorporated in this Treaty, the said Supplementary Treaty and General Regulations of Trade are hereby abrogated.

ARTICLE II.

Appointment of Ambassadors, &c.

For the better preservation of harmony in future, Her Majesty the Queen of Great Britain and His Majesty the Emperor of China mutually agree that, in accordance with the universal practice of great and friendly nations, Her Majesty the Queen may, if she see fit, appoint Ambassadors, Ministers, or other Diplomatic Agents to the Court of Peking; and His Majesty the Emperor of China may, in like manner, if he see fit, appoint Ambassadors, Ministers, or other Diplomatic Agents to the Court of St. James'.

ARTICLE III.

*Residence at Peking and Privileges of British Representative.—
Ceremonial, &c.*

His Majesty the Emperor of China hereby agrees that the Ambassador, Minister, or other Diplomatic Agent so appointed by Her Majesty the Queen of Great Britain, may reside, with his family and establishment, permanently at the capital, or may visit it occasionally at the option of the British Government. He shall not be called upon to perform any ceremony derogatory to him as representing the Sovereign of an independent nation on a footing of equality with that of China. On the other hand, he shall use the same forms of ceremony and respect to His Majesty the Emperor as are employed by the Ambassadors, Ministers, or Diplomatic Agents of Her Majesty towards the Sovereigns of Independent and equal European nations.

Right of British Government to hire Houses, &c., at Peking.

It is further agreed, that Her Majesty's Government may acquire at Peking a site for building, or may hire houses for the

accommodation of Her Majesty's Mission, and that the Chinese Government will assist it in so doing.

Right of British Representative to choose his own Servants.

Her Majesty's Representative shall be at liberty to choose his own servants and attendants, who shall not be subjected to any kind of molestation whatever.

Non-molestation of British Representative and his suite.

Any person guilty of disrespect or violence to Her Majesty's Representative, or to any member of his family or establishment, in deed or word, shall be severely punished.

ARTICLE IV.

Rights and Privileges of British Representatives.

It is further agreed, that no obstacle or difficulty shall be made to the free movements of Her Majesty's Representative, and that he, and the persons of his suite, may come and go, and travel at their pleasure. He shall, moreover, have full liberty to send and receive his correspondence, to and from any point on the sea-coast that he may select; and his letters and effects shall be held sacred and inviolable. He may employ for their transmission special couriers, who shall meet with the same protection and facilities for travelling as the persons employed in carrying despatches for the Imperial Government; and generally he shall enjoy the same privileges as are accorded to officers of the same rank by the usage and consent of Western nations.

All expenses attending the Diplomatic Mission of Great Britain in China shall be borne by the British Government.

ARTICLE V.

Transaction of Business between British Representative and Chinese Government.

His Majesty the Emperor of China agrees to nominate one of the Secretaries of State, or a President of one of the Boards,

as the high officer with whom the Ambassador, Minister, or other Diplomatic Agent of Her Majesty the Queen shall transact business, either personally or in writing, on a footing of perfect equality.

ARTICLE VI.

Privileges of Chinese Ambassadors, &c., in Great Britain.

Her Majesty the Queen of Great Britain agrees that the privileges hereby secured shall be enjoyed in her dominions by the Ambassadors, Ministers, or Diplomatic Agents of the Emperor of China accredited to the Court of Her Majesty.

ARTICLE VII.

Appointment and Privileges of Consuls.—Most-favoured-nation Treatment.

Her Majesty the Queen may appoint one or more Consuls in the dominions of the Emperor of China; and such Consul or Consuls shall be at liberty to reside in any of the open ports or cities of China as Her Majesty the Queen may consider most expedient for the interests of British commerce. They shall be treated with due respect by the Chinese Authorities and enjoy the same privileges and immunities as the Consular officers of the most favoured nation.

Consuls and Vice-Consuls in charge shall rank with Intendents of Circuits; Vice-Consuls, Acting Vice-Consuls, and Interpreters, with Prefects. They shall have access to the official residences of these officers, and communicate with them, either personally or in writing, on a footing of equality, as the interests of the public service may require.

ARTICLE VIII.

Freedom of Religious Worship.

The Christian religion, as professed by Protestants or Roman Catholics, inculcates the practice of virtue, and teaches man to do as he would be done by. Persons teaching or professing it, therefore, shall alike be entitled to the protection of the Chinese authorities, nor shall any such, peaceably pursuing their calling, and not offending against the law, be persecuted or interfered with. ✓

ARTICLE IX.

Freedom of Travel.—Passports.

British subjects are hereby authorized to travel, for their pleasure or for purposes of trade, to all parts of the interior, under passports which will be issued by their Consuls, and countersigned by the local authorities. These passports, if demanded, must be produced for examination in the localities passed through. If the passport be not irregular, the bearer will be allowed to proceed, and no opposition shall be offered to his hiring persons or hiring vessels for the carriage of his baggage or merchandize. If he be without a passport, or if he commit any offence against the law; he shall be handed over to the nearest Consul for punishment, but he must not be subjected to any ill-usage in excess of necessary restraint. No passport need be applied for by persons going on excursions from the ports open to trade to a distance not exceeding 100 *li*, and for a period not exceeding five days.

The provisions of this Article do not apply to crews of ships, for the due restraint of whom regulations will be drawn up by the Consul and the local authorities.

To Nanking, and other cities disturbed by persons in arms against the Government, no pass shall be given, until they shall have been recaptured.

ARTICLE X.

Trade on the Yang-tsze.—Opening of Ports of Chin-kiang, &c., to Trade.

British merchant-ships shall have authority to trade upon the Great River (Yang-tsze). The Upper and Lower Valley of the river being, however, disturbed by outlaws, no port shall be for the present opened to trade, with the exception of Chin-kiang, which shall be opened in a year from the date of the signing of this Treaty.

So soon as peace shall have been restored, British vessels shall also be admitted to trade at such ports as far as Han-kow, not exceeding three in number, as the British Minister, after consultation with the Chinese Secretary of State, may determine shall be ports of entry and discharge.

ARTICLE XI.

Opening of Ports of New-Chwang, Tang-Chow (Chefoo), Tai-Wan (Formosa), Chau-Chow (Swatow), and Kiung-Chow (Hainan) to British Subjects and their Trade.

In addition to the cities and towns of Canton, Amoy, Fuchow, Ningpo, and Shanghai, opened by the Treaty of

Nanking,* it is agreed that British subjects may frequent the cities and ports of New-Chwang, Tang-Chow,† Tai-Wan (Formosa), Chau-Chow (Swatow),‡ and Kiung-Chow (Hainan). ✓

They are permitted to carry on trade with whomsoever they please, and to proceed to and fro at pleasure with their vessels and merchandize.

Residence, Buying and Renting of Houses.—Erection of Churches, Hospitals, Cemeteries, &c.

They shall enjoy the same privileges, advantages and immunities, at the said towns and ports, as they enjoy at the ports already opened to trade, including the right of residence, of buying or renting houses, of leasing land therein, and of building churches, hospitals, and cemeteries.

ARTICLE XII.

Erection, &c., of Houses, Warehouses, Churches, Hospitals, and Cemeteries, &c.

British subjects, whether at the ports or at other places, desiring to build or open houses, warehouses, churches, hospitals, or burial-grounds, shall make their agreement for the land or buildings they require, at the rates prevailing among the people, equitably, and without exactions on either side.

ARTICLE XIII.

Employment of Chinese by British Subjects.

The Chinese Government will place no restrictions whatever upon the employment, by British subjects, of Chinese subjects in any lawful capacity.

ARTICLE XIV.

Hire of Boats by British Subjects.—Smuggling.

British subjects may hire whatever boats they please for the transport of goods or passengers, and the sum to be paid for such boats shall be settled between the parties themselves, without the interference of the Chinese Government. The number of these boats shall not be limited, nor shall a monopoly in respect either of the boats, or of the porters or coolies engaged in carrying the goods, be granted to any parties. If any smuggling takes place in them, the offenders will, of course, be punished according to law.

* Article II, see p. 64.

† Chefoo and Swatow were opened to trade in the place of Tang-Chow and Chau-Chow respectively.

ARTICLE XV.

Jurisdiction of British Authorities in Questions affecting British Subjects.

✓ All questions in regard to rights, whether of property or person, arising between British subjects, shall be subject to the jurisdiction of the British authorities.

ARTICLE XVI.

Administration of Justice.—British Consular Jurisdiction in case of Crimes committed by British Subjects.

Chinese subjects who may be guilty of any criminal act towards British subjects shall be arrested and punished by the Chinese authorities, according to the laws of China.

✓ British subjects who may commit any crime in China shall be tried and punished by the Consul, or other public functionary authorized thereto, according to the laws of Great Britain.

Justice shall be equitably and impartially administered on both sides.

ARTICLE XVII.

Disputes between British Subjects and Chinese.—Consular Intervention.

✓ A British subject having reason to complain of a Chinese, must proceed to the Consulate, and state his grievance. The Consul will inquire into the merits of the case, and do his utmost to arrange it amicably. In like manner, if a Chinese have reason to complain of a British subject, the Consul shall no less listen to his complaint, and endeavour to settle it in a friendly manner. If disputes take place of such a nature that the Consul cannot arrange them amicably, then he shall request the assistance of the Chinese authorities, that they may together examine into the merits of the case, and decide it equitably.

ARTICLE XVIII.

Protection of British Persons and Property.

✓ The Chinese authorities shall at all times afford the fullest protection to the persons and property of British subjects, whenever these shall have been subjected to insult or violence. In all cases of incendiarism or robbery the local authorities shall

at once take the necessary steps for the recovery of the stolen property, the suppression of disorder, and the arrest of the guilty parties, whom they will punish according to law.

ARTICLE XIX.

Pirates.

If any British merchant-vessel, while within Chinese waters, be plundered by robbers or pirates, it shall be the duty of the Chinese authorities to use every endeavour to capture and punish the said robbers or pirates, and to recover the stolen property, that it may be handed over to the Consul for restoration to the owner.

ARTICLE XX.

Wrecks.

If any British vessel be at any time wrecked or stranded on the coast of China, or be compelled to take refuge in any port within the dominions of the Emperor of China, the Chinese authorities, on being apprised of the fact, shall immediately adopt measures for its relief and security; the persons on board shall receive friendly treatment, and shall be furnished, if necessary, with the means of conveyance to the nearest Consular station.

ARTICLE XXI.

Surrender of Fugitive Criminals between China and Hong Kong.

If criminals, subjects of China, shall take refuge in Hong Kong, or on board the British ships there, they shall, upon due requisition by the Chinese authorities, be searched for, and, on proof of their guilt, be delivered up.

In like manner, if Chinese offenders take refuge in the houses or on board the vessels of British subjects at the open ports, they shall not be harboured or concealed, but shall be delivered up, on due requisition by the Chinese authorities, addressed to the British Consul.

ARTICLE XXII.

British and Chinese Fraudulent Debtors.

Should any Chinese subject fail to discharge debts incurred to a British subject, or should he fraudulently abscond, the

Chinese authorities will do their utmost to effect his arrest and enforce recovery of the debts. The British authorities will likewise do their utmost to bring to justice any British subject fraudulently absconding or failing to discharge debts incurred by him to a Chinese subject.

ARTICLE XXIII.

Debts incurred by Chinese at Hong Kong.

Should natives of China who may repair to Hong Kong to trade incur debts there, the recovery of such debts must be arranged for by the English Courts of Justice on the spot; but should the Chinese debtor abscond, and be known to have property, real or personal, within the Chinese territory, it shall be the duty of the Chinese authorities, on application by, and in concert with, the British Consul, to do their utmost to see justice done between the parties.

ARTICLE XXIV.

Import and Export Duties.—Most-favoured-nation Treatment.

It is agreed that British subjects shall pay, on all merchandize imported or exported by them, the duties prescribed by the Tariff; but in no case shall they be called upon to pay other or higher duties than are required of the subjects of any other foreign nation.

ARTICLE XXV.

Payment of Import and Export Duties.

Import duties shall be considered payable on the landing of the goods, and duties of export on the shipment of the same.

ARTICLE XXVI.

Revision of Tariff.

Whereas the Tariff fixed by Article X of the Treaty of Nanking, and which was estimated so as to impose on imports and exports a duty at about the rate of 5 per cent. *ad valorem*, has been found, by reason of the fall in value of various articles

of merchandize, therein enumerated, to impose a duty upon these, considerably in excess of the rate originally assumed as above to be a fair rate, it is agreed that the said Tariff shall be revised, and that as soon as the Treaty shall have been signed, application shall be made to the Emperor of China to depute a high officer of the Board of Revenue to meet, at Shanghai, officers to be deputed on behalf of the British Government, to consider its revision together, so that the Tariff, as revised, may come into operation immediately after the ratification of this Treaty.

ARTICLE XXVII.

Duration and Revision of Treaty and Tariff.

It is agreed that either of the High Contracting Parties to this Treaty may demand a further revision of the Tariff, and of the Commercial Articles of this Treaty, at the end of ten years; but if no demand be made on either side within six months after the end of the first ten years, then the Tariff shall remain in force for ten years more, reckoned from the end of the preceding ten years; and so it shall be, at the end of each successive period of ten years.

ARTICLE XXVIII.

Transit Dues.

Whereas it was agreed in Article X of the Treaty of Nanking, that British imports, having paid the Tariff duties, should be conveyed into the interior free of all further charges, except a transit duty, the amount whereof was not to exceed a certain percentage on tariff value; and whereas no accurate information having been furnished of the amount of such duty, British merchants have constantly complained that charges are suddenly and arbitrarily imposed by the provincial authorities as transit duties upon produce on its way to the foreign market, and on imports on their way into the interior, to the detriment of trade; it is agreed that within four months from the signing of this Treaty, at all ports now open to British trade, and within a similar period at all ports that may hereafter be opened, the authority appointed to superintend the collection of duties shall be obliged, upon application of the Consul, to declare the amount of duties leviable on produce between the place of production and the port of shipment, and upon imports between the Consular port in question and the inland markets named by the Consul; and that a notification thereof shall be published in English and Chinese for general information.

But it shall be at the option of any British subject, desiring to

convey produce purchased inland to a port, or to convey imports from a port to an inland market, to clear his goods of all transit duties, by payment of a single charge. The amount of this charge shall be leviable on exports at the first barrier they may have to pass, or, on imports, at the port at which they are landed; and on payment thereof, a certificate shall be issued, which shall exempt the goods from all further inland charges whatsoever.

It is further agreed, that the amount of this charge shall be calculated, as nearly as possible, at the rate of two and a-half per cent. *ad valorem*, and that it shall be fixed for each article at the Conference to be held at Shanghai for the revision of the Tariff.

It is distinctly understood that the payment of transit dues, by commutation or otherwise, shall in no way affect the Tariff duties on imports or exports, which will continue to be levied separately and in full.

ARTICLE XXIX.

Tonnage Dues.

British merchant-vessels, of more than one hundred and fifty tons burden, shall be charged tonnage dues at the rate of four mace per ton; if of one hundred and fifty tons and under, they shall be charged at the rate of one mace per ton.

Special Certificate to Vessels going from one Chinese port to another and to Hong Kong.

Any vessel clearing from any of the open ports of China for any other of the open ports, or for Hong Kong, shall be entitled, on application of the master, to a special certificate from the Customs, on exhibition of which she shall be exempted from all further payment of tonnage dues in any open port of China, for a period of four months, to be reckoned from the date of her port-clearance.

ARTICLE XXX.

Tonnage Dues.—Exemption of Payment in certain cases.

The master of any British merchant-vessel may, within forty-eight hours after the arrival of his vessel, but not later, decide to depart without breaking bulk, in which case he will not be subject to pay tonnage dues. But tonnage dues shall be held due after the expiration of the said forty-eight hours. No other fees or charges upon entry or departure shall be levied.

ARTICLE XXXI.

Exemption of certain British boats from Tonnage Dues.

No tonnage dues shall be payable on boats employed by British subjects in the conveyance of passengers, baggage, letters, articles of provision, or other articles not subject to duty, between any of the open ports. All cargo boats, however, conveying merchandize subject to duty shall pay tonnage dues once in six months, at the rate of four mace per register ton.

ARTICLE XXXII.

Buoys, Beacons, Lighthouses, &c.

The Consuls and Superintendents of Customs shall consult together regarding the erection of beacons or lighthouses, and the distribution of buoys and light-ships, as occasion may demand.

ARTICLE XXXIII.

Payment of Duties in Sycee or Foreign Money.

Duties shall be paid to the bankers, authorized by the Chinese Government to receive the same in its behalf, either in sycee or in foreign money, according to the assay made at Canton on the thirteenth of July, one thousand eight hundred and forty-three.

ARTICLE XXXIV.

Standard Weights and Measures to be kept at each Consulate.

Sets of standard weights and measures, prepared according to the standard issued to the Canton Custom-house by the Board of Revenue, shall be delivered by the Superintendent of Customs to the Consul at each port, to secure uniformity and prevent confusion.

ARTICLE XXXV.

Pilotage.

Any British merchant-vessel arriving at one of the open ports shall be at liberty to engage the services of a pilot to take her into port. In like manner, after she has discharged all legal dues and duties, and is ready to take her departure, she shall be allowed to select a pilot, to conduct her out of port.

ARTICLE XXXVI.

Custom-house Guards.

Whenever a British merchant-vessel shall arrive off one of the open ports, the Superintendent of Customs shall depute one or more Customs officers to guard the ship. They shall either live in a boat of their own, or stay on board the ship, as may best suit their convenience. Their food and expenses shall be supplied them from the Custom-house, and they shall not be entitled to any fees whatever from the master or consignee. Should they violate this regulation, they shall be punished proportionately to the amount exacted.

ARTICLE XXXVII.

Liability of vessels entering Port.

Within twenty-four hours after arrival, the ship's papers, bills of lading, &c., shall be lodged in the hands of the Consul, who will, within a further period of twenty-four hours, report to the Superintendent of Customs the name of the ship, her register tonnage, and the nature of her cargo. If, owing to neglect on the part of the master, the above rule is not complied with, within forty-eight hours after the ship's arrival, he shall be liable to a fine of fifty taels for every day's delay: the total amount of penalty, however, shall not exceed two hundred taels.

Ships' Manifests and Bills of Lading.

The master will be responsible for the correctness of the manifest, which shall contain a full and true account of the particulars of the cargo on board. For presenting a false manifest, he will subject himself to a fine of five hundred taels; but he will be allowed to correct, within twenty-four hours after delivery of it to the Customs officers, any mistake he may discover in his manifest, without incurring this penalty.

ARTICLE XXXVIII.

Permit to open Hatches and discharge Goods.

After receiving from the Consul the report in due form, the Superintendent of Customs shall grant the vessel a permit to open hatches. If the master shall open hatches and begin to discharge any goods without such permission, he shall be fined five hundred taels, and the goods discharged shall be confiscated wholly.

ARTICLE XXXIX.

Permits to land and ship Cargoes.

Any British merchant who has cargo to land or ship, must apply to the Superintendent of Customs for a special permit. Cargo landed or shipped without such permit, will be liable to confiscation.

ARTICLE XL.

Transhipments.

No transhipment from one vessel to another can be made without special permission, under pain of confiscation of the goods so transhipped.

ARTICLE XLI.

Port-clearances.

When all dues and duties shall have been paid, the Superintendent of Customs shall give a port-clearance, and the Consul shall then return the ship's papers, so that she may depart on her voyage.

ARTICLE XLII.

Mode of levying ad valorem Duties on Goods.

With respect to articles subject, according to the Tariff, to an *ad valorem* duty, if the British merchant cannot agree with the Chinese officer in fixing a value, then each party shall call two or three merchants to look at the goods, and the highest price at which any of these merchants would be willing to purchase them, shall be assumed as the value of the goods.

ARTICLE XLIII.

Mode of levying Duties on Goods.

Duties shall be charged upon the net weight of each article, making a deduction for the tare, weight of congee, &c. To fix the tare on any article such as tea, if the British merchant cannot agree with the Custom-house officer, then each party shall choose so many chests out of every hundred, which being first weighed in gross, shall afterwards be tared, and the average

tare upon these chests shall be assumed as the tare upon the whole; and upon this principle shall the tare be fixed upon all other goods in packages. If there should be any other points in dispute which cannot be settled, the British merchant may appeal to his Consul, who will communicate the particulars of the case to the Superintendent of Customs, that it may be equitably arranged. But the appeal must be made within twenty-four hours, or it will not be attended to. While such points are still unsettled, the Superintendent of Customs shall postpone the insertion of the same in his books.

ARTICLE XLIV.

Reduction of Duty on damaged Goods.

Upon all damaged goods a fair reduction of duty shall be allowed, proportionate to their deterioration. If any disputes arise, they shall be settled in the manner pointed out in the clause of this Treaty having reference to articles which pay duty *ad valorem*.

ARTICLE XLV.

Re-exportation of Duty-paid Goods.

British merchants who may have imported merchandize into any of the open ports and paid the duty thereon, if they desire to re-export the same, shall be entitled to make application to the Superintendent of Customs, who, in order to prevent fraud on the revenue, shall cause examination to be made by suitable officers, to see that the duties paid on such goods, as entered in the Custom-house books, correspond with the representation made, and that the goods remain with their original marks unchanged. He shall then make a memorandum on the port-clearance of the goods and of the amount of duties paid, and deliver the same to the merchant, and shall also certify the facts to the officers of Customs of the other ports. All which being done, on the arrival in port of the vessel in which the goods are laden, everything being found on examination there to correspond, she shall be permitted to break bulk, and land the said goods, without being subject to the payment of any additional duty thereon. But if, on such examination, the Superintendent of Customs shall detect any fraud on the revenue in the case, then the goods shall be subject to confiscation by the Chinese Government.

Drawbacks.

British merchants desiring to re-export duty-paid imports to a foreign country, shall be entitled, on complying with the

same conditions as in the case of re-exportation to another port in China, to a drawback-certificate, which shall be a valid tender to the Customs in payment of import or export duties.

Foreign Grain.

Foreign grain brought into any port of China in a British ship, if no part thereof has been landed, may be re-exported without hindrance.

ARTICLE XLVI.

Preventions against Fraud and Smuggling.

The Chinese authorities at each port shall adopt the means they may judge most proper to prevent the revenue suffering from fraud or smuggling.

ARTICLE XLVII.

*British Vessels trading with Ports not opened by Treaty
liable to Confiscation.*

British merchant-vessels are not entitled to resort to other than the ports of trade declared open by this Treaty. They are not unlawfully to enter other ports in China, or to carry on clandestine trade along the coasts thereof. Any vessel violating this provision, shall, with her cargo, be subject to confiscation by the Chinese Government.

ARTICLE XLVIII.

*Goods in British Vessels found concerned in Smuggling
liable to Confiscation.*

If any British merchant-vessel be concerned in smuggling, the goods, whatever their value or nature, shall be subject to confiscation by the Chinese authorities, and the ship may be prohibited from trading further, and sent away as soon as her accounts shall have been adjusted and paid.

ARTICLE XLIX.

Penalties inflicted for Smuggling, &c., to belong to China.

All penalties enforced, or confiscations made, under this Treaty, shall belong and be appropriated to the public service of the Government of China.

ARTICLE L.

Language to be employed in Official Communications.

All official communications, addressed by the Diplomatic and Consular Agents of Her Majesty the Queen to the Chinese authorities, shall henceforth be written in English. They will for the present be accompanied by a Chinese version, but it is understood that, in the event of there being any difference of meaning between the English and Chinese text, the English Government will hold the sense as expressed in the English text to be the correct sense. This provision is to apply to the Treaty now negotiated, the Chinese text of which has been carefully corrected by the English original.

ARTICLE LI.

The Chinese Character “I” 夷 (Barbarian) not to be applied to the British Government or to British Subjects.

It is agreed that henceforward the character “I” 夷 (barbarian) shall not be applied to the Government or subjects of Her Britannic Majesty, in any Chinese official document issued by the Chinese authorities, either in the capital or in the provinces.

ARTICLE LII.

Facilities to be granted to British Ships of War.

British ships of war coming for no hostile purpose, or being engaged in the pursuit of pirates, shall be at liberty to visit all ports within the dominions of the Emperor of China, and shall receive every facility for the purchase of provisions, procuring water, and, if occasion require, for the making of repairs. The Commanders of such ships shall hold intercourse with the Chinese authorities on terms of equality and courtesy.

ARTICLE LIII.

Suppression of Piracy.

In consideration of the injury sustained by native and foreign commerce from the prevalence of piracy in the seas

of China, the High Contracting Parties agree to concert measures for its suppression.

ARTICLE LIV.

Confirmation of Previous Treaties.—General Most-favoured-nation Treatment.

The British Government and its subjects are hereby confirmed in all privileges, immunities, and advantages conferred on them by previous Treaties; and it is hereby expressly stipulated that the British Government and its subjects will be allowed free and equal participation in all privileges, immunities, and advantages that may have been, or may be hereafter, granted by His Majesty the Emperor of China to the Government or subjects of any other nation.

ARTICLE LV.

A Separate Article to be agreed upon providing for the Indemnity to be paid for Losses, &c., of British Subjects at Canton.

In evidence of Her desire for the continuance of a friendly understanding, Her Majesty the Queen of Great Britain consents to include in a Separate Article, which shall be in every respect of equal validity with the Articles of this Treaty, the conditions affecting indemnity for expenses incurred and losses sustained in the matter of the Canton question.

ARTICLE LVI.

Ratifications.

The ratifications of this Treaty, under the hand of Her Majesty the Queen of Great Britain and Ireland, and His Majesty the Emperor of China, respectively, shall be exchanged at Peking, within a year from this date of signature.

In token whereof the respective Plenipotentiaries have signed and sealed this Treaty.

Done at Tien-tsin, this twenty-sixth day of June, in the year of our Lord one thousand eight hundred and fifty-eight;

corresponding with the Chinese date, the sixteenth day, fifth moon, of the eighth year of Hien Fung.

(L.S.)

ELGIN AND KINCARDINE.

Signature
of
First Chinese
Plenipotentiary.

Signature
of
Second Chinese
Plenipotentiary.

Seal of
the
Chinese
Plenipotentiaries.

No. 27.

AGREEMENT BETWEEN GREAT BRITAIN AND CHINA CONTAINING
RULES OF TRADE MADE IN PURSUANCE OF ARTICLE XXVI
OF THE TREATY OF JUNE 26, 1858.

Signed at Shanghai, November 8, 1858.

WHEREAS it was provided by the Treaty of Tien-tsin that a conference should be held at Shanghai between officers deputed by the British Government on the one part, and by the Chinese Government on the other part, for the purpose of determining the amount of Tariff duties and transit dues to be henceforward levied, a conference has been held accordingly; and its proceedings having been submitted to the Right Honourable the Earl of Elgin and Kincardine, High Commissioner and Plenipotentiary of Her Britannic Majesty the Queen, on the one part; and to Kweiliang, Hwashana, Ho Kweitsing, Mingshen, and Twau Ching-Shih, High Commissioners and Plenipotentiaries of His Imperial Majesty the Emperor, on the other part; these high officers have agreed and determined upon the revised Tariff hereto appended, the rate of transit dues therewith declared, together with other Rules and Regulations for the better explanation of the Treaty aforesaid; and do hereby agree that the said Tariff and Rules—the latter being in ten Articles thereto appended—shall be equally binding on the Governments and subjects of both countries with the Treaty itself.

In witness whereof they hereto affix their seals and signatures.

Rule 1.—*Duty on Goods not enumerated in Tariffs.*

Articles not enumerated in the list of exports, but enumerated in the list of imports, when exported will pay the amount of duty set against them in the list of imports; and similarly, articles not enumerated in the lists of imports, but enumerated in the lists of exports, when imported will pay the amount of duty set against them in the list of exports.

Articles not enumerated in either list, nor in the list of duty-free goods, will pay an *ad valorem* duty of five per cent., calculated on their market value.

Rule 2.—*Duty-free Goods.*

Gold and silver bullion, foreign coins, flour, Indian meal, sago, biscuit, preserved meats and vegetables, cheese, butter, confectionery, foreign clothing, jewellery, plated ware, perfumery, soap of all kinds, charcoal, fire-wood, candles (foreign), tobacco (foreign), cigars (foreign), wine, beer, spirits, household stores, ships' stores, personal baggage, stationery, carpeting, druggeting, cutlery, foreign medicines, and glass and crystal ware.

The above pay no import or export duty; but, if transported into the interior, will, with the exception of personal baggage, gold and silver bullion, and foreign coins pay a transit duty at the rate of two and a-half per cent. *ad valorem*.

A freight or part-freight of duty-free commodities (personal baggage, gold and silver bullion, and foreign coins excepted) will render the vessel carrying them, though no other cargo be on board, liable to tonnage dues.

Rule 3.—*Contraband Goods.*

Import and export trade is alike prohibited in the following articles: Gunpowder, shot, cannon, fowling-pieces, rifles, muskets, pistols, and all other munitions and implements of war; and salt.

Rule 4.—*Weights and Measures.*

In the calculations of the Tariff the weight of a pecul of one hundred catties is held to be equal to one hundred and thirty-three and one-third pounds avoirdupois; and the length of a *chang* of ten Chinese feet, to be equal to one hundred and forty-one English inches.

One Chinese *chih* is held to equal fourteen and one-tenth inches English; and four yards English, less three inches, to equal one *chang*.

Rule 5.—*Relaxation of Restrictions in Trade in Opium,
Copper Cash, Rice, &c.*

The restrictions affecting trade in opium, cash, grain, pulse, sulphur, brimstone, saltpetre, and spelter, are relaxed, under the following conditions:—

1.* *Opium* will henceforth pay thirty taels per pecul import duty. The importer will sell it only at the port. It will be carried into the interior by Chinese only, and only as Chinese property; the foreign trader will not be allowed to accompany it. The provisions of Article IX of the Treaty of Tien-tsin, by which British subjects are authorized to proceed into the interior with passports to trade, will not extend to it, nor will those of Article XXVIII of the same Treaty, by which the transit dues are regulated; the transit dues on it will be arranged as the Chinese Government see fit; nor, in future revisions of the Tariff, is the same rule of revision to be applied to opium as to other goods.

2. *Copper Cash*.—The export of cash to any foreign port is prohibited; but it shall be lawful for British subjects to ship it at one of the open ports of China to another, on compliance with the following Regulation. The shipper shall give notice of the amount of cash he desires to ship, and the port of its destination, and shall bind himself, either by a bond with two sufficient sureties, or by depositing such other security as may be deemed by the Customs satisfactory, to return, within six months from the date of clearance, to the Collector at the port of shipment, the certificate issued by him, with an acknowledgment thereon of the receipt of the cash at the port of destination, by the Collector at that port, who shall thereto affix his seal; or, failing the production of the certificate, to forfeit a sum equal in value to the cash shipped. Cash will pay no duty inwards or outwards; but a freight or part-freight of cash, though no other cargo be on board, will render the vessel carrying it liable to pay tonnage dues.

3. *Rice*.—The export of rice and all other grain whatsoever, native or foreign, no matter where grown or whence imported, to any foreign port, is prohibited; but these commodities may be carried by British merchants from one of the open ports of China to another, under the same conditions in respect of security as cash, on payment at the port of shipment of the duty specified in the Tariff.

No import duty will be leviable upon rice or grain; but a freight or part-freight of rice or grain, though no other cargo be on board, will render the vessel importing it liable to tonnage dues.

4. *Pulse*.—The export of pulse and bean-cake from Tung-chau and Niu-chwang, under the British flag, is prohibited.

* Replaced by the Additional Article of July 18, 1885 (p. 110), but subject to revival on termination of that Article.

From any other of the open ports they may be shipped, on payment of the Tariff duty, either to other ports of China or to foreign countries.

5. *Saltpetre, sulphur, brimstone, and spelter*, being munitions of war, shall not be imported by British subjects, save at the requisition of the Chinese Government, or for sale to Chinese duly authorized to purchase them. No permit to land them will be issued until the Customs have proof that the necessary authority has been given to the purchaser. It shall not be lawful for British subjects to carry these commodities up the Yang-tsze-Kiang, or into any port other than those open on the seaboard, nor to accompany them into the interior on behalf of Chinese. They must be sold at the ports only; and except at the ports they will be regarded as Chinese property.

Infractions of the conditions, as above set forth, under which trade in opium, cash, grain, pulse, saltpetre, brimstone, sulphur, and spelter, may be henceforward carried on, will be punishable by confiscation of all the goods concerned.

Rule 6.—*Liability of Vessels entering Port.*

To the prevention of misunderstanding, it is agreed that the term of twenty-four hours, within which British vessels must be reported to the Consul under Article XXXVII of the Treaty of Tien-tsin, shall be understood to commence from the time a British vessel comes within the limits of the port; as also the term of forty-eight hours allowed her by Article XXX of the same Treaty to remain in port without payment of tonnage dues.

The limits of the port shall be defined by the Customs, with all consideration for the convenience of trade, compatible with due protection of the revenue; also the limits of the anchorages within which lading and discharging is permitted by the Customs; and the same shall be notified to the Consuls for public information.

Rule 7.—*Transit Dues.*

It is agreed that Article XXVIII of the Treaty of Tien-tsin shall be interpreted to declare the amount of transit dues legally leviable upon merchandize imported or exported by British subjects to be one-half of the Tariff duties, except in the case of the duty-free goods liable to a transit duty of two and a-half per cent. *ad valorem*, as provided in Article 2 of these Rules. Merchandize shall be cleared of its transit dues under the following conditions:—

In the case of Imports.—Notice being given at the port of entry from which the imports are to be forwarded inland; of the nature and quantity of the goods; the ship from which they have been landed; and the place inland to which they

are bound, with all other necessary particulars; the Collector of Customs will, on due inspection made, and on receipt of the transit duty due, issue a transit-duty certificate. This must be produced at every barrier station and *viséd*. No further duty will be leviable upon imports so certificated, no matter how distant the place of their destination.

In the case of Exports.—Produce purchased by a British subject in the interior will be inspected and taken account of at the first barrier it passes on its way to the port of shipment. A memorandum, showing the amount of the produce and the port at which it is to be shipped, will be deposited there by the person in charge of the produce: he will then receive a certificate, which must be exhibited and *viséd* at every barrier on his way to the port of shipment. On the arrival of the produce at the barrier nearest the port, notice must be given to the Customs at the port, and the transit dues due thereon being paid, it will be passed. On exportation the produce will pay the Tariff duty.

Any attempt to pass goods inwards or outwards, otherwise than in compliance with the rule here laid down, will render them liable to confiscation.

Unauthorized sale, *in transitu*, of goods that have been entered as above for a port, will render them liable to confiscation. Any attempt to pass goods in excess of the quantity specified in the certificate will render all the goods of the same denomination named in the certificate liable to confiscation. Permission to export produce which cannot be proved to have paid its transit dues will be refused by the Customs until the transit dues shall have been paid.

The above being the arrangement agreed to regarding the transit dues, which will thus be levied once and for all, the notification required under Article XXVIII of the Treaty of Tien-tsin, for the information of British and Chinese subjects, is hereby dispensed with.

Rule 8.—*Foreign Trade under Passports.*

It is agreed that Article IX of the Treaty of Tien-tsin shall not be interpreted as authorizing British subjects to enter the capital city of Peking for purposes of trade.

Rule 9.—*Abolition of the Meltage Fee.*

It is agreed that the percentage of one tael two mace, hitherto charged in excess of duty payments, to defray the expenses of melting by the Chinese Government, shall be no longer levied on British subjects.

Rule 10.—*Collection of Duties under one System at all Ports.*

It being, by Treaty, at the option of the Chinese Government to adopt what means appear to it best suited to protect its

revenue, accruing on British trade, it is agreed that one uniform system shall be enforced at every port.

The high officer appointed by the Chinese Government to superintend foreign trade will accordingly, from time to time, either himself visit, or will send a deputy to visit, the different ports. The said high officer will be at liberty, of his own choice, and independently of the suggestion or nomination of any British authority, to select any British subject he may see fit to aid him in the administration of the Customs revenue; in the prevention of smuggling; in the definition of port boundaries; or in discharging the duties of harbour-master; also in the distribution of lights, buoys, beacons, and the like, the maintenance of which shall be provided for out of the tonnage dues.

The Chinese Government will adopt what measures it shall find requisite to prevent smuggling up the Yang-tsze-Kiang, when that river shall be open to trade.

Done at Shanghae, in the Province of Kiang-su, this eighth day of November, in the year of our Lord eighteen hundred and fifty-eight, being the third day of the tenth moon of the eighth year of the reign of Hien Fung.

(L.S.) ELGIN AND KINCARDINE.

<p>Signatures and Seal of the Five Chinese High Commissioners and Plenipotentiaries</p>

NOTE.—The Tariff of *Imports* annexed to this Agreement has been replaced by the Tariff annexed to the Agreement of August 29, 1902 (see p. 147). The Tariff of *Exports*, which has not *yet* been revised, is given in the Appendix to this work (see p. 1033).

No. 28.

CONVENTION BETWEEN GREAT BRITAIN AND CHINA.

*Signed at Peking, October 24, 1860.**

HER Majesty the Queen of Great Britain and Ireland, and His Imperial Majesty the Emperor of China, being alike

* Signed also in Chinese.

desirous to bring to an end the misunderstanding at present existing between their respective Governments, and to secure their relations against further interruption, have for this purpose appointed Plenipotentiaries, that is to say:

Her Majesty the Queen of Great Britain and Ireland, the Earl of Elgin and Kincardine;

And His Imperial Majesty the Emperor of China, His Imperial Highness the Prince of Kung;

Who, having met and communicated to each other their full powers, and finding these to be in proper form, have agreed upon the following Convention, in nine Articles:—

ARTICLE I.

Apology of Emperor for Obstruction offered by Garrison of Taku to Passage of British Representative, with Ratifications of Treaty of 1858.

A breach of friendly relations having been occasioned by the act of the garrison of Taku, which obstructed Her Britannic Majesty's Representative when on his way to Peking for the purpose of exchanging the ratifications of the Treaty of Peace concluded at Tien-tsin in the month of June, one thousand eight hundred and fifty-eight, His Imperial Majesty the Emperor of China expresses his deep regret at the misunderstanding so occasioned.

ARTICLE II.

Right of British Representative to reside at Peking.

It is further expressly declared, that the arrangement entered into at Shanghai in the month of October, one thousand eight hundred and fifty-eight, between Her Britannic Majesty's Ambassador the Earl of Elgin and Kincardine, and His Imperial Majesty's Commissioners Kweiliang and Hwashana, regarding the residence of Her Britannic Majesty's Representative in China, is hereby cancelled; and that, in accordance with Article III of the Treaty of one thousand eight hundred and fifty-eight, Her Britannic Majesty's Representative will henceforward reside permanently or occasionally at Peking, as Her Britannic Majesty shall be pleased to decide.

ARTICLE III.

Separate Article of Treaty of 1858 annulled. — Payment of Chinese Indemnity to Merchants at Canton and for War Expenses.

It is agreed that the Separate Article of the Treaty of one thousand eight hundred and fifty-eight is hereby annulled;

and that in lieu of the amount of indemnity therein specified, His Imperial Majesty the Emperor of China shall pay the sum of eight millions of taels in the following proportions or instalments, namely:—At Tien-tsin, on or before the thirtieth day of November, the sum of five hundred thousand taels; at Canton, and on or before the first day of December, one thousand eight hundred and sixty, three hundred and thirty-three thousand three hundred and thirty-three taels, less the sum which shall have been advanced by the Canton authorities towards the completion of the British Factory site at Shameen; and the remainder at the ports open to foreign trade, in quarterly payments, which shall consist of one-fifth of the gross revenue from Customs there collected. The first of the said payments being due on the thirty-first day of December, one thousand eight hundred and sixty, for the quarter terminating on that day.

It is further agreed that these moneys shall be paid into the hands of an officer whom Her Britannic Majesty's Representative shall specially appoint to receive them, and that the accuracy of the amounts shall, before payment, be duly ascertained by British and Chinese officers appointed to discharge this duty.

In order to prevent future discussion, it is moreover declared, that of the eight millions of taels herein guaranteed, two millions will be appropriated to the indemnification of the British mercantile community at Canton, for losses sustained by them, and the remaining six millions to the liquidation of war expenses.

ARTICLE IV.

Opening of Port of Tien-tsin to Trade.

It is agreed that on the day on which this Convention is signed, His Imperial Majesty the Emperor of China shall open the port of Tien-tsin to trade, and that it shall be thereafter competent to British subjects to reside and trade there under the same conditions as at any other port of China by Treaty open to trade.

ARTICLE V.

Chinese Coolie Emigration.

As soon as the ratifications of the Treaty of one thousand eight hundred and fifty-eight shall have been exchanged, His Imperial Majesty the Emperor of China will, by Decree, command the high authorities of every province to proclaim throughout their jurisdictions, that Chinese choosing to take service in the British Colonies, or other parts beyond sea, are at

perfect liberty to enter into engagements with British subjects for that purpose, and to ship themselves and their families on board any British vessel at any of the open ports of China; also that the high authorities aforesaid shall, in concert with Her Britannic Majesty's Representative in China, frame such Regulations for the protection of Chinese, emigrating, as above, as the circumstances of the different open ports may demand.

ARTICLE VI.

Cession of Portion of Kowloon to Great Britain.

With a view to the maintenance of law and order in and about the harbour of Hong Kong, His Imperial Majesty the Emperor of China agrees to cede to Her Majesty the Queen of Great Britain and Ireland, and to her heirs and successors, to have and to hold as a dependency of Her Britannic Majesty's Colony of Kong Kong, that portion of the township of Kowloon, in the Province of Kwang-tung, of which a lease was granted in perpetuity to Harry Smith Parkes, Esquire, Companion of the Bath, a member of the Allied Commission at Canton, on behalf of Her Britannic Majesty's Government, by Lan Tsung Kwan, Governor-General of the Two Kwang.

It is further declared that the lease in question is hereby cancelled; that the claims of any Chinese to property on the said portion of Kowloon shall be duly investigated by a Mixed Commission of British and Chinese officers; and that compensation shall be awarded by the British Government to any Chinese whose claim shall be by the said Commission established, should his removal be deemed necessary by the British Government.

ARTICLE VII.

Confirmation of Treaty of 1858 with Modifications.

It is agreed that the provisions of the Treaty of one thousand eight hundred and fifty-eight, except in so far as these are modified by the present Convention, shall without delay come into operation as soon as the ratifications of the Treaty aforesaid shall have been exchanged.

No Separate Ratification of Present Convention required.

It is further agreed that no separate ratification of the present Convention shall be necessary, but that it shall take effect from the date of its signature, and be equally binding with the Treaty above mentioned on the High Contracting Parties.

ARTICLE VIII.

Treaty of 1858 and Present Convention to be published by Chinese Government.

It is agreed that as soon as the ratifications of the Treaty of the year one thousand eight hundred and fifty-eight shall have been exchanged, His Imperial Majesty the Emperor of China shall, by Decree, command the high authorities in the capital and in the provinces to print and publish the aforesaid Treaty and the present Convention, for general information.

ARTICLE IX.

Conditional Evacuation of Chusan and other Places in China occupied by British Troops.

It is agreed that as soon as this Convention shall have been signed, the ratifications of the Treaty of the year one thousand eight hundred and fifty-eight shall have been exchanged, and an Imperial Decree respecting the publication of the said Convention and Treaty shall have been promulgated, as provided for by Article VIII of this Convention, Chusan shall be evacuated by Her Britannic Majesty's troops there stationed, and Her Britannic Majesty's force now before Peking shall commence its march towards the city of Tien-tsin, the forts of Taku, the north coast of Shangtung, and the city of Canton, at each or all of which places it shall be at the option of Her Majesty the Queen of Great Britain and Ireland to retain a force until the indemnity of eight millions of taels, guaranteed in Article III, shall have been paid.

Done at Peking, in the Court of the Board of Ceremonies, on the twenty-fourth day of October, in the year of our Lord one thousand eight hundred and sixty.

(L.S.) ELGIN AND KINCARDINE.

Signature and Seal of the Chinese Plenipotentiary.

No. 29.

AGREEMENT BETWEEN GREAT BRITAIN AND CHINA FOR THE
SETTLEMENT OF THE YÜNNAN CASE, OFFICIAL INTERCOURSE,
AND TRADE BETWEEN THE TWO COUNTRIES.*

(Chefoo Agreement.)

Signed at Chefoo, September 13, 1876.†

[*Ratifications exchanged at London, May 6, 1886.*]

Agreement negotiated between Sir Thomas Wade, K.C.B., Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of China, and Li, Minister Plenipotentiary of His Majesty the Emperor of China, Senior Grand Secretary, Governor-General of the Province of Chih-li, of the First Class of the Third Order of Nobility.

THE negotiation between the Ministers above named has its origin in a despatch received by Sir Thomas Wade, in the spring of the present year, from the Earl of Derby, Principal Secretary of State for Foreign Affairs, dated the 1st January, 1876. This contained instructions regarding the disposal of three questions: first, a satisfactory settlement of the Yünnan affair; secondly, a faithful fulfilment of engagements of last year respecting intercourse between the high officers of the two Governments; thirdly, the adoption of a uniform system in satisfaction of the understanding arrived at in the month of September 1875 (8th moon of the 1st year of the reign of Kwang Sü), on the subject of rectification of conditions of trade. It is to this despatch that Sir Thomas Wade has referred himself in discussions on these questions with the Tsung-li Yamên, further reference to which is here omitted as superfluous. The conditions now agreed to between Sir Thomas Wade and the Grand Secretary are as follows:—

SECTION I.—*Settlement of the Yünnan Case.*

1. A Memorial is to be presented to the Throne, whether by the Tsung-li Yamên or by the Grand Secretary Li, is immaterial, in the sense of the Memorandum prepared by

* For Additional Article of March 31, 1890, see p. 117.

† Signed also in Chinese.

Sir Thomas Wade. Before presentation the Chinese text of the Memorial is to be shown to Sir Thomas Wade.

2. The Memorial having been presented to the Throne, and the Imperial Decree in reply received, the Tsung-li Yamên will communicate copies of the Memorial and Imperial Decree to Sir Thomas Wade, together with a copy of a letter from the Tsung-li Yamên to the Provincial Governments, instructing them to issue a Proclamation that shall embody at length the above Memorial and Decree. Sir Thomas Wade will thereupon reply to the effect that for two years to come officers will be sent, by the British Minister, to different places in the provinces, to see the Proclamation is posted. On application from the British Minister, or the Consul of any port instructed by him to make application, the high officers of the provinces will depute competent officers to accompany those so sent to the places which they go to observe.

Frontier Trade between Burmah and Yünnan.

3. In order to the framing of such regulations as will be needed for the conduct of the frontier trade between Burmah and Yünnan, the Memorial, submitting the proposed settlement of the Yünnan affair, will contain a request that an Imperial Decree be issued, directing the Governor-General and Governor, whenever the British Government shall send officers to Yünnan, to select a competent officer of rank to confer with them and to conclude a satisfactory arrangement.

Stationing of British Officers in Yünnan.—Trade.

4. The British Government will be free for five years, from the 1st January next, being the 17th day of the 11th moon of the 2nd year of the reign of Kwang Sü, to station officers at Tali Fu, or at some other suitable place in Yünnan, to observe the conditions of trade; to the end that they may have information upon which to base the regulations of trade when these have to be discussed. For the consideration and adjustment of any matter affecting British officers or subjects, these officers will be free to address themselves to the authorities of the province. The opening of the trade may be proposed by the British Government, as it may find best, at any time within the term of five years, or upon expiry of the term of five years.

Mission from India to Yünnan.

Passports having been obtained last year from a Mission from India into Yünnan, it is open to the Viceroy of India to send such Mission at any time he may see fit.

Amount of Indemnity for Yünnan Outrage to be paid by Chinese Government.

5. The amount of indemnity to be paid on account of the families of the officers and others killed in Yünnan; on account of the expenses which the Yünnan case has occasioned; and on account of claims of British merchants arising out of the action of officers of the Chinese Government up to the commencement of the present year, Sir Thomas Wade takes upon himself to fix at 200,000 taels, payable on demand.

Regret to be expressed by China at Yünnan occurrence.

6. When the case is closed an Imperial letter will be written, expressing regret for what has occurred in Yünnan. The Mission bearing the Imperial letter will proceed to England immediately. Sir Thomas Wade is to be informed of the constitution of this Mission, for the information of his Government. The text of the Imperial letter is also to be communicated to Sir Thomas Wade by the Tsung-li Yamên.

SECTION II.—*Official Intercourse.*

Under this heading are included the conditions of intercourse between high officers in the capital and the provinces, and between Consular officers and Chinese officials at the ports; also the conduct of judicial proceedings in mixed cases.

1. In the Tsung-li Yamên's Memorial of the 28th September, 1875, the Prince of Kung and the Ministers stated their object in presenting it had not been simply the transaction of business in which Chinese and foreigners might be concerned; Missions abroad and the question of diplomatic intercourse lay equally within their prayer.

Code of Etiquette to be drawn up.

To the prevention of further misunderstanding upon the subject of intercourse and correspondence, the present conditions of both having caused complaint in the capital and in the provinces, it is agreed that the Tsung-li Yamên shall address a Circular to the Legations, inviting foreign Representatives to consider with them a code of etiquette, to the end that foreign officials in China, whether at the ports or elsewhere, may be treated with the same regard as is shown them when serving abroad in other countries, and as would be shown to Chinese Agents so serving abroad.

The fact that China is about to establish Missions and Consulates abroad renders an understanding on these points essential.

Punishment of Chinese for Criminal Acts against British Subjects.

2. The British Treaty of 1858, Article XVI, lays down that "Chinese subjects who may be guilty of any criminal act towards British subjects shall be arrested and punished by Chinese authorities according to the laws of China."

Trial and Punishment of British Subjects for Crimes against Chinese.

"British subjects who may commit any crime in China shall be tried and punished by the Consul, or any other public functionary authorized thereto, according to the laws of Great Britain."

"Justice shall be equitably and impartially administered on both sides."

The words "functionary authorized thereto" are, translated in the Chinese text, "British Government."

British Supreme Court and Chinese Mixed Court at Shanghai.

In order to the fulfilment of its Treaty obligations, the British Government has established a Supreme Court at Shanghai, with a special code of rules, which it is now about to revise. The Chinese Government has established at Shanghai a Mixed Court, but the officer presiding over it, either from lack of power or dread of unpopularity, constantly fails to enforce his judgments.

Administration of Justice at Treaty Ports.

It is now understood that the Tsung-li Yamên will write a Circular to the Legations, inviting foreign Representatives at once to consider with the Tsung-li Yamên the measures needed for the more effective administration of justice at the ports open to trade.

Crimes affecting British Subjects.

3. It is agreed that, whenever a crime is committed affecting the person or property of a British subject, whether in the interior or at the open ports, the British Minister shall be free to send officers to the spot to be present at the investigation.

To the prevention of misunderstanding on this point, Sir Thomas Wade will write a note to the above effect, to which the Tsung-li Yamên will reply, affirming that this is the course of proceeding to be adhered to for the time to come.

Judicial Proceedings in Mixed Cases.

It is further understood that so long as the laws of the two countries differ from each other, there can be but one principle to guide judicial proceedings in mixed cases in China, namely, that the case is tried by the official of the defendant's nationality, the official of the plaintiff's nationality merely attending to watch the proceedings in the interests of justice. If the officer so attending be dissatisfied with the proceedings, it will be in his power to protest against them in detail. The law administered will be the law of the nationality of the officer trying the case. This is the meaning of the words "hui t'ung," indicating combined action in judicial proceedings in Article XVI of the Treaty of Tien-tsin, and this is the course to be respectively followed by the officers of either nationality.

SECTION III.—*Trade.*

Areas of Foreign Concessions exempt from Li-kin.—Opening of I-ch'ang, Wuhu, Wên-Chôw, and Pakhoi to trade.—Residence of British Officers at Ch'ung K'ing to watch British Trade.

1. With reference to the area within which, according to the Treaties in force, *li-kin* ought not to be collected on foreign goods at the open ports, Sir Thomas Wade agrees to move his Government to allow the ground rented by foreigners (the so-called Concessions) at the different ports to be regarded as the area of exemption from *li-kin*; and the Government of China will thereupon allow I-ch'ang in the Province of Hu-Pei, Wu-hu in An-Hui, Wên-Chôw in Che-Kiang, and Pei-hai (Pakhoi) in Kwang-tung, to be added to the number of ports open to trade, and to become Consular stations. The British Government will, farther, be free to send officers to reside at Ch'ung K'ing, to watch the conditions of British trade in Ssu-Ch'uen. British merchants will not be allowed to reside at Ch'ung K'ing, or to open establishments or warehouses there, so long as no steamers have access to the port. When steamers have succeeded in ascending the river so far, further arrangements can be taken into consideration.

Ta-t'ung, Ngan-Ching, Hu-K'ou, Wu-suëh, Lu-chi-K'ou and Sha-Shih to be Ports of Call.—Use of Native Boats.

It is farther proposed as a measure of compromise that at certain points on the shore of the Great River, namely, Ta-t'ung, and Ngan-Ching, in the Province of An-Hui; Hu-K'ou, in Kiang-Si; Wu-suëh, Lu-chi-k'ou, and Sha-shih, in Hu-Kuang; these being all places of trade in the interior, at which, as they are not open ports, foreign merchants are not

legally authorized to land or ship goods; steamers shall be allowed to touch for the purpose of landing or shipping passengers or goods, but in all instances by means of native boats only, and subject to the regulations in force affecting native trade.

Ports of Call.—Collection of Li-kin.—Non-residence of Foreign Merchants.

Produce accompanied by a half-duty certificate may be shipped at such points by the steamers, but may not be landed by them for sale. And at all such points, except in the case of imports accompanied by a transit-duty certificate, or exports similarly certificated, which will be severally passed free of *li-kin* on exhibition of such certificates, *li-kin* will be duly collected on all goods whatever by the native authorities. Foreign merchants will not be authorized to reside or open houses of business or warehouses at the places enumerated as ports of call.

Foreign Settlement Areas.

2. At all ports opened to trade, whether by earlier or later agreement, at which no settlement area has been previously defined, it will be the duty of the British Consul, acting in concert with his colleagues, the Consuls of other Powers, to come to an understanding with the local authorities regarding the definition of the foreign Settlement area.

Duties and Li-kin on Opium.

3.* On opium, Sir Thomas Wade will move his Government to sanction an arrangement different from that affecting other imports. British merchants, when opium is brought into port, will be obliged to have it taken cognizance of by the Customs, and deposited in bond, either in a warehouse or a receiving hulk, until such time as there is a sale for it. The importer will then pay the Tariff duty upon it, and the purchasers the *li-kin*, in order to the prevention of the evasion of the duty. The amount of *li-kin* to be collected will be decided by the different Provincial Governments, according to the circumstances of each.

Transit-duty Certificates.—Exemptions.

4. The Chinese Government agrees that transit-duty certificates shall be framed under one rule at all ports, no

* To expire on termination of Additional Article of July 18, 1885.

difference being made in the conditions set forth therein; and that, so far as imports are concerned, the nationality of the person possessing and carrying these is immaterial. Native produce carried from an inland centre to a port of shipment, if *bonâ fide* intended for shipment to a foreign port, may be, by Treaty, certificated by the British subject interested, and exempted by payment of the half-duty from all charges demanded upon it *en route*. If produce be not the property of a British subject, or is being carried to a port not for exportation, it is not entitled to the exemption that would be secured it by the exhibition of a transit-duty certificate. The British Minister is prepared to agree with the Tsung-li Yamên upon rules that will secure the Chinese Government against abuse of the privilege as affecting produce.

Carriage of Imports Inland and of Native Produce purchased Inland.

The words "nei ti," inland, in the clause of Article VII of the Rules appended to the Tariff, regarding carriage of imports inland, and of native produce purchased inland, apply as much to places on the sea-coasts and river shores, as to places in the interior not open to foreign trade; the Chinese Government having the right to make arrangements for the prevention of abuses thereat.

Drawbacks on Imports.—Time Limits.

5. Article XLV of the Treaty of 1858 prescribes no limit to the term within which a drawback may be claimed upon duty-paid imports. The British Minister agrees to a term of three years, after expiry of which no drawback shall be claimed.

Import and Li-kin Duties.

6. The foregoing stipulation, that certain ports are to be opened to foreign trade, and that landing and shipping of goods at six places on the Great River is to be sanctioned, shall be given effect to within six months after receipt of the Imperial Decree approving the Memorial of the Grand Secretary Li. The date for giving the effect to the stipulations affecting exemption of imports from *li-kin* taxation within the foreign Settlements, and the collection of *li-kin* upon opium by the Customs Inspectorate at the same time as the Tariff duty upon it, will be fixed as soon as the British Government has arrived at an understanding on the subject with other foreign Governments.

*Interference of Canton Customs Revenue Cruisers with
Junk Trade at Hong Kong.*

7. The Government of Hong Kong having long complained of the interference of the Canton Customs Revenue cruisers with the junk trade of that Colony, the Chinese Government agrees to the appointment of a Commission, to consist of a British Consul, an officer of the Hong Kong Government, and a Chinese official of equal rank, in order to the establishment of some system that shall enable the Chinese Government to protect its revenue without prejudice to the interests of the Colony.

SEPARATE ARTICLE.

British Mission to Thibet.

Her Majesty's Government having it in contemplation to send a mission of exploration next year by way of Peking through Kan-Su and Koko-Nor, or by way of Ssu-Ch'uen to Thibet, and thence to India, the Tsung-li Yamên having due regard to the circumstances will, when the time arrives, issue the necessary passports, and will address letters to the high provincial authorities and to the Resident in Thibet. If the Mission should not be sent by these routes, but should be proceeding across the Indian frontier to Thibet, the Tsung-li Yamên, on receipt of a communication to the above effect from the British Minister, will write to the Chinese Resident in Thibet, and the Resident, with due regard to the circumstances, will send officers to take due care of the Mission; and passports for the Mission will be issued by the Tsung-li Yamên, that its passage be not obstructed.

Done at Chefoo, in the Province of Shan-tung, this 13th day of September, in the year of our Lord 1876.

(L.S.) THOMAS FRANCIS WADE.
(L.S.) LI HUNG-CHANG.

No. 30.

ADDITIONAL ARTICLE TO THE AGREEMENT BETWEEN GREAT
BRITAIN AND CHINA SIGNED AT CHEFOO ON THE 13TH
SEPTEMBER, 1876.

Signed at London, July 18, 1885.

Area of Exemption from Li-kin on Foreign Goods.

THE Governments of Great Britain and of China, considering that the arrangements proposed in clauses 1 and 2 of Section III of the Agreement between Great Britain and China, signed at Chefoo on the 13th September, 1876 (hereinafter referred to as the "Chefoo Agreement"), in relation to the area within which *li-kin* ought not to be collected on foreign goods at the open ports, and to the definition of the foreign Settlement area, require further consideration; also that the terms of clause 3 of the same section are not sufficiently explicit to serve as an efficient regulation for the traffic in opium, and recognizing the desirability of placing restrictions on the consumption of opium, have agreed to the present Additional Article.

1.* As regards the arrangements above referred to and proposed in clauses 1 and 2 of Section III of the Chefoo Agreement, it is agreed that they shall be reserved for further consideration between the two Governments.

Treatment of Foreign Opium.—Import and Li-kin Duties.

2. In lieu of the arrangement respecting opium proposed in clause 3 of Section III of the Chefoo Agreement, it is agreed that foreign opium, when imported into China, shall be taken cognizance of by the Imperial Maritime Customs, and shall be deposited in bond either in warehouses or receiving-hulks which have been approved of by the Customs, and that it shall not be removed thence until there shall have been paid to the Customs the Tariff duty of 30 taels per chest of 100 catties, and also a sum not exceeding 80 taels per like chest as *li-kin*.

Opium.—Repacking in Bond.

3. It is agreed that the aforesaid import and *li-kin* duties having been paid, the owner shall be allowed to have the

* To remain in force on expiration of this Additional Article, see p. 106.

opium repacked in bond under the supervision of the Customs, and put into packages of such assorted sizes as he may select from such sizes as shall have been agreed upon by the Customs authorities and British Consul at the port of entry.

Transit Certificates.

The Customs shall then, if required, issue gratuitously to the owner a transit certificate for each such package, or one for any number of packages, at the option of the owner.

Such certificate shall free the opium to which it applies from the imposition of any further tax or duty whilst in transport in the interior, provided that the package has not been opened, and that the Customs seals, marks, and numbers on the packages have not been effaced or tampered with.

Such certificate shall have validity only in the hands of Chinese subjects, and shall not entitle foreigners to convey or accompany any opium in which they may be interested into the interior.

Regulations as to Issue of Transit Certificates.

4. It is agreed that the Regulations under which the said certificates are to be issued shall be the same for all the ports, and that the form shall be as follows:—

"Opium Transit Certificate."

“ This is to certify that Tariff and *li-kin* duties at the rate of taels per chest of 100 catties have been paid on the opium marked and numbered as under ; and that, in conformity with the Additional Article signed at London the 18th July, 1885, and appended to the Agreement between China and Great Britain signed at Chefoo the 13th September, 1876, and approved by the Imperial Decree printed on the back hereof, the production of this certificate will exempt the opium to which it refers, wherever it may be found, from the imposition of any further tax or duty whatever, provided that the packages are unbroken, and the Customs seals, marks, and numbers have not been effaced or tampered with.

"Mark. 12007. 6. 17. 3. 1. 1. No.

X 00 packages.

“Port of entry,

“Date

"Signature of Commissioner of Customs."

Taxation of Opium on opening of Packages at Place of Consumption.—National Treatment.

5. The Chinese Government undertakes that when the package shall have been opened at the place of consumption the opium shall not be subjected to any tax or contribution, direct or indirect, other than or in excess of such tax or contribution as is or may hereafter be levied on native opium.

In the event of such tax or contribution being calculated *ad valorem* the same rate, value for value, shall be assessed on foreign and native opium, and in ascertaining for this purpose the value of foreign opium the amount paid on it for *li-kin* at the port of entry shall be deducted from its market value.

Additional Article to form Part of Chefoo Agreement Ratifications.

6. It is agreed that the present Additional Article shall be considered as forming part of the Chefoo Agreement, and that it shall have the same force and validity as if it were inserted therein word for word.

It shall come into operation six months after its signature, provided the ratifications have then been exchanged, or if they have not, then on the date at which such exchange takes place.

Duration of Additional Article.

7. The arrangement respecting opium contained in the present Additional Article shall remain binding for four years, after the expiration of which period either Government may at any time give twelve months' notice of its desire to terminate it, and such notice being given, it shall terminate accordingly.

Termination of Additional Article.

It is, however, agreed that the Government of Great Britain shall have the right to terminate the same at any time, should the transit certificate be found not to confer on the opium complete exemption from all taxation whatsoever whilst being carried from the port of entry to the place of consumption in the interior.

In the event of the termination of the present Additional Article the arrangement with regard to opium now in force under the Regulations attached to the Treaty of Tien-tsin shall revive.*

* See p. 94.

Modification of Additional Article.

8. The High Contracting Parties may, by common consent, adopt any modifications of the provisions of the present Additional Article which experience may show to be desirable.

Smuggling from China into Hong Kong.

9. It is understood that the Commission provided for in clause 7 of Section III of the Chefoo Agreement to inquire into the question of the prevention of smuggling into China from Hong Kong shall be appointed as soon as possible.

Ratifications.

10. The Chefoo Agreement, together with, and as modified by, the present Additional Article, shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

In witness whereof the Undersigned, duly authorized thereto by their respective Governments, have signed the present Additional Article, and have affixed thereto their seals.

Done at London in quadruplicate (two in English and two in Chinese), this 18th day of July, 1885, being the seventh day of the sixth moon in the eleventh year of the reign of Kwang-Sü.

(L.S.) SALISBURY.

(L.S.) TSÈNG.

The Marquess of Salisbury to the Marquis Tsêng.

M. le Ministre,

Foreign Office, July 18, 1885.

I HAVE the honour to address the present note to you in order to place on record the fact that, with the view of carrying out the proposal made by your Government, the following understanding has been come to between the Governments of Great Britain and China in regard to the Additional Article to the Chefoo Agreement relative to opium which has been signed this day:—

It is understood that it shall be competent for Her Majesty's Government at once to withdraw from this new arrangement, and to revert to the system of taxation for opium at present in operation in China, in case the Chinese Government shall fail to bring the other Treaty Powers to conform to the provisions of the said Additional Article.

It is further understood that in the event of the termination of the said Additional Article, the Chefoo Agreement, with the

exception of clause 3 of Section III, and with the modifications stipulated in clause 1 of the said Additional Article, shall nevertheless remain in force.

I have the honour to request that you will acknowledge the receipt of this note, informing me that the understanding recorded in it is accepted by the Chinese Government.

I have, &c.

(Signed) SALISBURY.

The Marquis Tséng to the Marquess of Salisbury.

My Lord,

Chinese Legation, London, July 18, 1885.

IN reply to your Lordship's note of this date, I have the honour to state that the Imperial Government accept the following as the expression of the understanding which has been come to between the Governments of Great Britain and China in regard to the Additional Article to the Chefoo Agreement relative to opium, which has been signed this day:—

1. It is understood that it shall be competent for Her Majesty's Government at once to withdraw from this new arrangement, and to revert to the system of taxation for opium at present in operation in China, in case the Chinese Government shall fail to bring the other Treaty Powers to conform to the provisions of the said Additional Article.

2. It is further understood that, in the event of the termination of the said Additional Article, the Chefoo Agreement, with the exception of clause 3 of Section III, and with the modifications stipulated in clause 1 of the said Additional Article, shall nevertheless remain in force.

I have, &c.

(Signed) TSÉNG.

No. 31.

CONVENTION BETWEEN GREAT BRITAIN AND CHINA RELATIVE
TO BURMAH AND THIBET.

Signed at Peking, July 24, 1886.

[Ratifications exchanged in London, August 25, 1887.]

WHEREAS Her Majesty the Queen of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of

China, being sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires, and to promote and extend the commercial intercourse between their subjects and dominions, the following Convention has been agreed upon and concluded:—

On the part of Great Britain by Nicholas Roderick O'Connor, Esquire, Her Majesty's Secretary of Legation at Washington, and lately Her Majesty's Chargé d'Affaires in China, Companion of the Most Distinguished Order of St. Michael and St. George, duly empowered thereunto;

And on the part of China by his Highness Prince Ch'ing, President of the Tsung-li Yamên, and His Excellency Sun, Minister of the Tsung-li Yamên, Senior Vice-President of the Board of Works.

ARTICLE I.

Decennial Missions from Burmah.

Inasmuch as it has been the practice of Burmah to send decennial Missions to present articles of local produce, England agrees that the highest authority in Burmah shall send the customary decennial Missions, the members of the Missions to be of Burmese race.

ARTICLE II.

British Authority and Rule in Burmah.

China agrees that, in all matters whatsoever appertaining to the authority and rule which England is now exercising in Burmah, England shall be free to do whatever she deems fit and proper.

ARTICLE III.

Frontier between Burmah and China.—Frontier Trade.

The frontier between Burmah and China to be marked by a Delimitation Commission, and the conditions of frontier trade to be settled by a Frontier Trade Convention,* both countries agreeing to protect and encourage trade between China and Burmah.

* See Convention of March 1, 1894, p. 119.

ARTICLE IV.

British Mission to Thibet to be countermanded.

Inasmuch as inquiry into the circumstances by the Chinese Government has shown the existence of many obstacles to the Mission to Thibet provided for in the Separate Article of the Chefoo Agreement, England consents to countermand the Mission forthwith.

Frontier Trade between India and Thibet.

With regard to the desire of the British Government to consider arrangements for frontier trade between India and Thibet, it will be the duty of the Chinese Government, after careful inquiry into the circumstances, to adopt measures to exhort and encourage the people with a view to the promotion and development of trade. Should it be practicable, the Chinese Government shall then proceed carefully to consider Trade Regulations; but, if insuperable obstacles should be found to exist, the British Government will not press the matter unduly.

ARTICLE V.

Ratifications.

The present Convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible after the date of the signature thereof.

In witness whereof the respective negotiators have signed the same and affixed thereunto the seals of their arms.

Done in triplicate at Peking, this twenty-fourth day of July, in the year of our Lord one thousand eight hundred and eighty-six, corresponding with the Chinese date of the twenty-third day of the sixth moon of the twelfth year of Kuang Hsü.

(L.S.) NICHOLAS RODERICK O'CONOR.

(L.S.)

(Monogram)

CH'ING.

(Monogram)

SUN YÜ-WÊN.

No. 32.

ADDITIONAL ARTICLE TO THE AGREEMENT BETWEEN GREAT
BRITAIN AND CHINA OF SEPTEMBER 13, 1876.*

Signed at Peking, March 31, 1890.

[*Ratifications exchanged at Peking, January 18, 1891.*]

THE Governments of Great Britain and China, being desirous of settling in an amicable spirit the divergence of opinion which has arisen with respect to the first clause of the third section of the Agreement concluded at Chefoo in 1876,† which stipulates that “The British Government will be free to send officers to reside at Chungking to watch the conditions of British trade in Szechuan, that British merchants will not be allowed to reside at Chungking, or to open establishments or warehouses there, so long as no steamers have access to the port, and that when steamers have succeeded in ascending the river so far, further arrangements can be taken into consideration,” have agreed upon the following Additional Article:—

Chungking to be opened to Trade as a Treaty Port.—Traffic between Ichang and Chungking.

I. Chungking shall forthwith be declared open to trade on the same footing as any other Treaty port. British subjects shall be at liberty either to charter Chinese vessels or to provide vessels of the Chinese type for the traffic between Ichang and Chungking.

Merchandise conveyed between Ichang and Chungking.

II. Merchandise conveyed between Ichang and Chungking by the above class of vessels shall be placed on the same footing as merchandise carried by steamers between Shanghai and Ichang, and shall be dealt with in accordance with Treaty, Tariff Rules, and the Yang-tsze Regulations.

Regulations for such Vessels.

III. All regulations as to the papers and flags to be carried by vessels of the above description, as to the cargo certificates

* Chefoo Agreement, see p. 102.

† See p. 102.

with which they shall be provided, as to the repackaging of goods for the voyage beyond Ichang, and as to the general procedure to be observed by those engaged in the traffic between Ichang and Chungking with a view to insuring convenience and security, shall be drawn up by the Superintendent of Customs at Ichang, the Taotai of the Ch'uan Tung Circuit, who is now stationed at Chungking, and the Commissioner of Customs in consultation with the British Consul, and shall be liable to any modifications that may hereafter prove to be desirable and may be agreed upon by common consent.

Payment of Port Dues by chartered Junks.—Special Papers and Flags.

IV. Chartered junks shall pay port dues at Ichang and Chungking in accordance with the Yang-tsze Regulations; vessels of Chinese type, if and when entitled to carry the British flag, shall pay tonnage dues in accordance with Treaty Regulations. It is obligatory on both chartered junks and also vessels of Chinese type, even when the latter may be entitled to carry the British flag, to take out at the Maritime Custom-house special papers and a special flag when intended to be employed by British subjects in the transport of goods between Ichang and Chungking, and without such papers and flag no vessel of either class shall be allowed the privileges and immunities granted under this Additional Article. Provided with special papers and flag, vessels of both classes shall be allowed to ply between the two ports, and they and their cargoes shall be dealt with in accordance with Treaty Rules and the Yang-tsze Regulations. All other vessels shall be dealt with by the Native Customs. The special papers and flag issued by the Maritime Customs must alone be used by the particular vessel for which they were originally issued, and are not transferable from one vessel to another. The use of the British flag by vessels the property of Chinese is strictly prohibited. Infringement of these Regulations will, in the first instance, render the offender liable to the penalties in force at the ports hitherto opened under Treaty, and should the offence be subsequently repeated, the vessel's special papers and flag will be withdrawn, and the vessel herself refused permission thenceforward to trade between Ichang and Chungking.

Access of British Steamers to Chungking. — National Treatment.

V. When once Chinese steamers carrying cargo run to Chungking, British steamers shall in like manner have access to the said port.

Additional Article to form part of Chefoo Agreement.

VI. It is agreed that the present Additional Article shall be considered as forming part of the Chefoo Agreement, and as having the same force and validity as if it were inserted therein word for word. It shall be ratified, and the ratifications exchanged at Peking, and it shall come into operation six months after its signature, provided the ratifications have then been exchanged, or if they have not, then on the date at which such exchange takes place.

Done at Peking in triplicate (three in English and three in Chinese), this thirty-first day of March, in the year of our Lord one thousand eight hundred and ninety, being the eleventh day of the Second Intercalary Moon of the sixteenth year of Kuang Hsü.

(L.S.) JOHN WALSHAM.

(L.S.) (Signature of Chinese Plenipotentiary.)

No. 33.

CONVENTION BETWEEN GREAT BRITAIN AND CHINA, GIVING EFFECT TO ARTICLE III OF THE CONVENTION OF JULY 24, 1886, RELATIVE TO BURMAH AND THIBET.

Signed at London, March 1, 1894.

[*Ratifications exchanged at London, August 23, 1894.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of China, being sincerely desirous of consolidating the relations of friendship and good neighbourhood which happily exist between the two Empires, have resolved to conclude a Convention with the view of giving effect to Article III of the Convention relative to Burmah and Thibet, signed at Peking on the 24th July, 1886,* and have appointed as their Plenipotentiaries for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great

* See p. 114.

Britain and Ireland, Empress of India, the Right Honourable the Earl of Rosebery, Knight of the Most Noble Order of the Garter, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs;

And His Majesty the Emperor of China, Sieh Ta-jên, Envoy Extraordinary and Minister Plenipotentiary of China at the Court of St. James', and Vice-President of the Imperial Board of Censors;

Who, having mutually communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Boundary between Burmah and Chinese Empire.

(1st Section.)

It is agreed that the frontier between the two Empires, from latitude $25^{\circ} 35''$ north, shall run as follows:—

Commencing at the high conical peak situated approximately in that latitude and in longitude $98^{\circ} 14'$ east of Greenwich and $18^{\circ} 16'$ west of Peking, the line will follow, as far as possible, the crest of the hills running in a south-westerly direction through Kaolang Pum and the Warong Peak, and thence run nearly mid-way between the villages of Wanchon and Kaolang—leaving the former to Burmah and the latter to China—on to Sabu Pum.

From Sabu Pum the frontier will run in a line slightly to the south of west through Shatrung Pum to Namienku Pum; thence it will be continued, still running in a south-westerly direction, along the crest of the hills until it strikes the Tazar Kha River, the course of which it will follow from its source to its confluence with the Nam Tabet or Tabak Kha, thus leaving Uka to the east and Laipong to the west.

From the confluence of the Tazar Kha River with the Tabak Kha, the frontier will ascend the latter river to its junction with the Lekra Kha, which it will follow to its source near Nkrang. From the source of the Lekra Kha, leaving Nkrang, Kukum, and Singra to the west, and Sima and Mali to the east, the line will follow the Lesa Kha from its western source to its junction with the Mali River, and thence will ascend the Mali to its source near Hpunra Shikong; thence it will run in a south-westerly direction along the Laisa Kha from its source down to the point where it falls into the Molé River near Kadon, leaving the village of Kadon to the west and that of Laisa to the east.

The line will then follow the course of the Molé in a south-easterly direction to the place where it receives the Che Yang Kha, which latter river it will follow to its source in the Alau

Pum. It will then be directed along the Nampaung River from its western source down to where it enters the Taping River.

This concludes the description of the first section of the frontier.

ARTICLE II.

Boundary between Burmah and Chinese Empire. —

(2nd Section.)

The second section of the frontier, or that portion of it which extends from the Taping River to the neighbourhood of Meung Mao, will run as follows:—

Starting from the junction of the Khalong Kha with the Taping River, the frontier will follow the Khalong Kha and its western branch to its source; it will be drawn thence southward to meet the Siphao or Lower Nanthabet at a spot immediately to the south-west of Hanton, leaving Matin to Great Britain and Loilong-ga-tong, Tiêh-pi-Kwan, and Hanton to China; thence it will ascend the branch of the last-named river which has its source nearest to that of the Mantein Kha. It will thence follow the crests of the line of hills running in a south-easterly direction to the more southerly of the two places named Kadaw, which is close to the Nunwan River, leaving Kadaw to China and Palen to Great Britain. It will follow the Namwan River in a south-westerly direction down to the point in about latitude $23^{\circ} 55'$, where that river takes a south-easterly course. Thence it will run in a direction somewhat west of south to the Nammak River, leaving Namkhai to Great Britain. It will follow the Nammak River to the point where it bifurcates in about latitude $23^{\circ} 47'$, and will then ascend the southern branch till it reaches the crest of a high range of hills to the south of Mawsiu, in about latitude $23^{\circ} 45'$. It will follow the crest of this range (which runs slightly to the north of east) until it reaches the Shweli River at its junction with the Nammak, thus leaving to China the district of Mawsiu, the spot recently identified as Tien-ma-Kwan and the villages of Hinglon and Kongmow, lying to the north of the above-mentioned range.

It will then follow the course of the Shweli River, and where the river bifurcates, it will follow the more southerly of the two branches, leaving to China the island formed by them, until it reaches a point near the eastern end of the loop which the river forms opposite to Meung Mao, as indicated in the next Article of the Convention.

The Government of China consent that the most direct of the roads between Bhamo and Namkhan, where it passes through the small portion of Chinese territory south of the Namwan, shall, while remaining entirely open to Chinese subjects and to the tribesmen subject to China, be free and

open to Great Britain for travellers, commerce, and administrative purposes, without any restrictions whatever. Her Britannic Majesty's Government shall have the right, after communication with the Chinese authorities, to execute any works which may be desirable for the improvement or repair of the road, and to take any measures which may be required for the protection of the traffic and the prevention of smuggling.

It is equally agreed that British troops shall be allowed to pass freely along this road. But no body of troops more than 200 in number shall be dispatched across it without the consent of the Chinese authorities, and previous notice in writing shall be given of every armed party of more than twenty men.

ARTICLE III.

Boundary between Burmah and Chinese Empire.

(3rd Section.)

The third section of the frontier will run as follows:—

It will commence from a point on the Shweli River, near to the east end of the loop formed by that river opposite to Meung Mao; thence paying due regard to the natural features and the local conditions of the country, it will trend in a south-easterly direction towards Ma-li-pa until it reaches, at a point in about longitude $98^{\circ} 7'$ east of Greenwich ($18^{\circ} 23'$ west of Peking), and latitude $23^{\circ} 52'$, a conspicuous mountain range. It will follow the crests of that range through Loiaipong and Loipan-glom until it reaches the Salween River, in about latitude $23^{\circ} 41'$.

This portion of the frontier from the Shweli to the Salween River shall be settled by the Boundary Commission provided for in Article VI of the present Convention, and in such a manner as to give to China at least as much territory as would be included if the frontier were drawn in a straight line from Meung Mao towards Ma-li-pa.

If it should be found that the most suitable frontier will give to China a larger amount of territory than is stated above, the compensation to be given to Great Britain on some other part of the frontier shall be matter for subsequent arrangement.

From latitude $23^{\circ} 41'$ the frontier will follow the Salween until it reaches the northern boundary of the circle of Kunlong. It will follow that boundary in an easterly direction, leaving the whole circle of Kunlong, and the ferry of that name, to Great Britain, and leaving to China the State of Kokang.

It will then follow the course of the river forming the boundary between Somu, which belongs to Great Britain, and Mêng Ting, which belongs to China. It will still continue to follow the frontier between those two districts, which is locally

well known, to where it leaves the aforesaid river and ascends the hills; and will then follow the line of water-parting between the tributaries of the Salween and the Meikong Rivers, from about longitude 99° east of Greenwich ($17^{\circ} 30'$ west of Peking), and latitude $23^{\circ} 20'$, to a point about longitude $99^{\circ} 40'$ east of Greenwich ($16^{\circ} 50'$ west of Peking), and latitude 23° , leaving to China the Tsawbwaships of Kêng Ma, Mengtung, and Mengko.

At the last-named point of longitude and latitude the line strikes a very lofty mountain range, called Kong-Ming-Shan, which it will follow in a southerly direction to about longitude $99^{\circ} 30'$ east of Greenwich (17° west of Peking), and latitude $22^{\circ} 30'$, leaving to China the district of Chen-pien T'ing. Then, descending the western slope of the hills to the Namka River, it will follow the course of that river for about $10'$ of latitude, leaving Munglem to China, and Manglün to Great Britain.

It will then follow the boundary between Munglem and Kyaing Tong, which is locally well known, diverging from the Namka River a little to the north of latitude 22° , in a direction somewhat south of east, and generally following the crest of the hills till it strikes the Namlam River in about latitude $21^{\circ} 45'$, and longitude 100° east of Greenwich ($16^{\circ} 30'$ west of Peking).

It will then follow the boundary between Kyaing Tong and Kiang Hung, which is generally formed by the Namlam River, with the exception of a small strip of territory belonging to Kiang Hung, which lies to the west of that river just south of the last-named parallel of latitude. On reaching the boundary of Kyaing Chaing, in about latitude $21^{\circ} 27'$, and longitude $100^{\circ} 12'$ east of Greenwich ($16^{\circ} 18'$ west of Peking), it will follow the boundary between that district and Kiang Hung until it reaches the Meikong River.

ARTICLE IV.

Boundary between Burmah and Chinese Empire to the North of $25^{\circ} 35'$ North Latitude.

It is agreed that the settlement and delimitation of that portion of the frontier which lies to the north of latitude $25^{\circ} 35'$ north shall be reserved for a future understanding between the High Contracting Parties when the features and condition of the country are more accurately known.

ARTICLE V.

Cession of States of Munglem and Kiang Hung to China.

In addition to the territorial concessions in Northern Theinni, and the cession to China of the State of Kokang, which result

from the frontier as above described, Her Britannic Majesty, in consideration of the abandonment of the claims advanced by China to the territory lying outside and abutting on the frontier of the Prefecture of Yung Chang and Sub-Prefecture of Teng Yüeh, agrees to renounce in favour of His Majesty the Emperor of China, and of his heirs and successors for ever, all the suzerain rights in and over the States of Munglem and Kiang Hung formerly possessed by the Kings of Ava concurrently with the Emperors of China. These and all other rights in the said States, with the titles, prerogatives, and privileges thereto pertaining, Her Majesty the Queen-Empress renounces as aforesaid, with the sole proviso that His Majesty the Emperor of China shall not, without previously coming to an agreement with Her Britannic Majesty, cede either Munglem or Kiang Hung, or any portion thereof, to any other nation.

ARTICLE VI.

Demarcation of Boundary between Burmah and Chinese Empire.

It is agreed that, in order to avoid any local contention, the alignments of the frontier described in the present Convention, and shown on the maps annexed thereto, shall be verified and demarcated, and, in case of its being found defective at any point, rectified by a Joint Commission appointed by the High Contracting Parties; and that the said Commission shall meet, at a place hereafter to be determined on by the two Governments, not later than twelve months after the exchange of the ratifications of the present Convention; and shall terminate its labours in not more than three years from the date of its first meeting.

It is understood that any alterations in the alignment which the Joint Commission may find it necessary to make shall be based on the principle of equivalent compensations, having regard not only to the extent, but also to the value, of the territory involved. Further, that should the members of the Commission be unable to agree on any point, the matter of disagreement shall at once be referred to their respective Governments.

The Commission shall also endeavour to ascertain the situation of the former frontier-post of China named Hanlung Kwan. If this place can be identified, and is found to be situated in British territory, the British Government will consider whether it can, without inconvenience, be ceded to China.

If it shall be found to the south-east of Meung Mao so as to be on the northern side of the straight line drawn from that place towards Ma-li-pa, it will in that case already belong to China.

ARTICLE VII.

Withdrawal of Troops of one Country from Posts decided by Boundary Commission to belong to the other Country.

It is agreed that any posts belonging to either country which may be stationed within the territory of the other when the Commission of Delimitation shall have brought its labours to a conclusion shall, within eight months from the date of such conclusion, be withdrawn, and their places occupied by the troops of the other, mutual notice having in the meantime been given of the precise date at which the withdrawal and occupation will take place. From the date of such occupation the High Contracting Parties shall each within its own territories hold itself responsible for the maintenance of good order, and for the tranquillity of the tribes inhabiting them.

The High Contracting Parties further engage neither to construct nor to maintain within 10 English miles from the nearest point of the common frontier, measured in a straight line and horizontal projection, any fortifications or permanent camps, beyond such posts as are necessary for preserving peace and good order in the frontier districts.

ARTICLE VIII.

Frontier Trade.—No Import Duty on Goods entering Burmah, except on Salt, and no Export Duties on Goods exported to China, except on Rice, to be levied for Six Years.

Subject to the conditions mentioned hereafter in Articles X and XI, the British Government, wishing to encourage and develop the land trade of China with Burmah as much as possible, consent for a period of six years from the ratification of the present Convention, to allow Chinese produce and manufactures, with the exception of salt, to enter Burmah by land duty free, and to allow British manufactures and Burmese produce, with the exception of rice, to be exported to China by land free of duty.

The duties on salt and rice so imported and exported shall not be higher than those imposed on their import or export by sea.

ARTICLE IX.

Goods to cross Frontier by Manwyne and by Sansi.

Pending the negotiation of a more complete arrangement, and until the development of the trade shall justify the estab-

lishment of other frontier Customs stations, goods imported from Burmah into China or exported from China into Burmah shall be permitted to cross the frontier by Manwyne and by Sansi.

*Chinese Duties on Goods Imported to or Exported from China
by Manwyne and Sansi.*

With a view to the development of trade between China and Burmah, the Chinese Government consent that for six years from the ratification of the present Convention the duties levied on goods imported into China by these routes shall be those specified in the General Tariff of the Maritime Customs diminished by three-tenths, and that the duties on goods exported from China by the same route shall be those specified in the same Tariff diminished by four-tenths.

Transit Passes.

Transit passes for imports and exports shall be granted in accordance with the Rules in force at the Treaty ports.

Smuggling, &c.

Smuggling or the carrying of merchandize through Chinese territory by other routes than those sanctioned by the present Convention shall, if the Chinese authorities think fit, be punished by the confiscation of the merchandize concerned.

ARTICLE X.

Contraband of War.

The following articles, being munitions of war, shall neither be exported from Burmah into China, nor imported from China into Burmah, save at the requisition of the Government desiring their importation; neither shall they be sold to parties other than those who have been duly authorized by their respective Governments to purchase them:—

Cannon, shot and shell, cartridges and ammunition of all kinds, fire-arms and weapons of war of every description. Salt-petre, sulphur, brimstone, gunpowder, dynamite, gun-cotton, or other explosives.

ARTICLE XI.

*Prohibited Imports and Exports to and from China and
Burmah.*

The exportation from Burmah into China of salt is prohibited.

The exportation from China into Burmah of cash, rice, pulse, and grains of every kind is prohibited.

The importation and exportation across the frontier of opium and spirituous liquors is prohibited, excepting in small quantities for the personal use of travellers. The amount to be permitted will be settled under Customs Regulations.

Infractions of the conditions set forth in this and the preceding Article will be punishable by confiscation of all the goods concerned.

ARTICLE XII.

*Carriage of Minerals and Merchandize by the Irrawaddy.—
National Treatment.*

The British Government, wishing to promote frontier trade between the two countries by encouraging mining enterprise in Yünnan and in the new territorial acquisitions of China referred to in the present Convention, consent to allow Chinese vessels carrying merchandize, ores, and minerals of all kinds, and coming from or destined for China, freely to navigate the Irrawaddy on the same conditions as to dues and other matters as British vessels.

ARTICLE XIII.

*Appointment and Privileges of Consuls.—Most-favoured-nation
Treatment.*

It is agreed that His Majesty the Emperor of China may appoint a Consul in Burmah, to reside at Rangoon; and that Her Britannic Majesty may appoint a Consul to reside at Manwyne; and that the Consuls of the two Governments shall each within the territories of the other enjoy the same privileges and immunities as the Consuls of the most favoured nation.

Further, that, in proportion as the commerce between Burmah and China increases, additional Consuls may be appointed by mutual agreement, to reside at such places in Burmah and Yünnan as the requirements of the trade may seem to demand.

The correspondence between the British and Chinese Consuls

respectively, and the chief authority at the place where they reside, shall be conducted on terms of perfect equality.

ARTICLE XIV.

Passports.

Passports, written in Chinese and English, and identical in terms to those issued to foreigners at the Treaty ports in China, shall, on the application of the proper British authorities, be issued to British merchants and others wishing to proceed to China from Burmah, by the Chinese Consul at Rangoon or by the Chinese authorities on the frontier; and Chinese subjects wishing to proceed to Burmah from China shall, on the application of any recognized Chinese official, be entitled to receive similar passports from Her Britannic Majesty's Consul at Manwyne or other convenient places in China where there may be a British Consular officer.

ARTICLE XV.

Extradition of Criminals.

Should criminals, subjects of either country, take refuge in the territory of the other, they shall, on due requisition being made, be searched for, and, on reasonable presumption of their guilt being established, they shall be surrendered to the authorities demanding their extradition.

"Due requisition" shall be held to mean the demand of any functionary of either Government possessing a seal of office, and the demand may be addressed to the nearest frontier officer of the country in which the fugitive has taken refuge.

ARTICLE XVI.

Telegraph communication between Burmah and China.

With a view to improving the intercourse between the two countries, and placing the Chinese Consul at Rangoon in communication with the High Provincial Authorities in Yünnan, the High Contracting Parties undertake to connect the telegraphic systems of the two countries with each other as soon as the necessary arrangements can be made; the line will, however, at first only be used for the transmission of official telegrams and of general messages for and from Burmah and the Province of Yünnan.

ARTICLE XVII.

General Most-favoured-nation Treatment.

It is agreed that subjects of the two Powers shall each within the territories of the other enjoy all the privileges, immunities, and advantages that may have been, or may hereafter be, accorded to the subjects of any other nation.

ARTICLE XVIII.

Invocation of advantages of Overland Trade between Burmah and China.

It is agreed that the commercial stipulations contained in the present Convention being of a special nature and the result of mutual concessions, consented to with a view to adapting them to local conditions and the peculiar necessities of the Burmah-China overland trade, the advantages accruing from them shall not be invoked by the subjects of either Power residing at other places where the two Empires are contemporaneous, excepting where the same conditions prevail, and then only in return for similar concessions,

ARTICLE XIX.

Revision of Commercial Arrangements of this Treaty after Six Years or sooner.

The arrangements with regard to trade and commerce contained in the present Convention being of a provisional and experimental character, it is agreed that should subsequent experience of their working, or a more intimate knowledge than is now possessed of the requirements of the trade, seem to require it, they may be revised at the demand of either party after a lapse of six years after the exchange of ratifications of the present Convention, or sooner should the two Governments desire it.

ARTICLE XX.

Ratifications.

The ratification of the present Convention under the hand of Her Britannic Majesty and of His Majesty the Emperor of China shall be exchanged in London in six months from this day of signature, or sooner if possible.

The Convention shall come into force immediately after the exchange of ratifications.

In token whereof the respective Plenipotentiaries have signed this Convention in four copies, two in Chinese and two in English.

Done at London this first day of March, one thousand eight hundred and ninety-four, corresponding to the 24th day of the 1st moon of the 20th year of Kuang Hsü.

(L.S.) ROSEBERRY.
(L.S.) SIEH.

Declaration.

On proceeding to the signature this day of the Convention between Great Britain and China, giving effect to Article III of the Convention relative to Burmah and Thibet, signed at Peking on the 24th July, 1886 :

The undersigned Plenipotentiaries declare that, inasmuch as the present Convention has been concluded for the special purpose mentioned in the preamble thereof, the stipulations contained therein are applicable only to those parts of the dominions of Her Britannic Majesty and of His Majesty the Emperor of China to which the said Convention expressly relates, and are not to be construed as applicable elsewhere.

Done at London the 1st day of March, 1894.

(L.S.) ROSEBERRY.
(L.S.) SIEH.

No. 34.

AGREEMENT BETWEEN GREAT BRITAIN AND CHINA, MODIFYING
THE CONVENTION OF MARCH 1, 1894, RELATIVE TO BURMAH
AND THIBET.

Signed at Peking, February 4, 1897.

[Ratifications exchanged at Peking, June 5, 1897.]

IN consideration of the Government of Great Britain consenting to waive its objections to the alienation by China, by

the Convention with France of the 20th June, 1895,* of territory forming a portion of Kiang Hung, in derogation of the provisions of the Convention between Great Britain and China of the 1st March, 1894, it has been agreed between the Governments of Great Britain and China that the following additions and alterations shall be made in the last-named Convention, hereinafter referred to as the original Convention:—

ARTICLE I.

Boundary between Burmah and Chinese Empire.

(From 25° 35' North Latitude to the Taping.)

It is agreed that the frontier between the two Empires from latitude 25° 35' north shall run as follows:

Commencing at the high peak situated approximately in that latitude and in longitude 98° 14' east of Greenwich and 18° 16' west of Peking, the line shall follow, as far as possible, the crest of the hills running in a south-westerly direction to Warung Peak (Kaulyang), and shall extend thence to Sabu Pum.

From Sabu Pum the frontier shall run in a line along the watershed slightly to the south of west through Shatrung Pum to Namienku Pum.

Thence it shall follow a line to be fixed after local investigation, dividing the Szis and the Kumsas as far as the Tabak Kha; thence the Tabak Kha to the Namtabet; thence the Namtabet to the Paknoi Kha; thence the Paknoi Kha to its source near Talang Pum; thence the Talang Pum ridge to Bumra Shikong.

From Bumra Shikong the frontier shall follow a line running in a south-west direction to the Laisa Kha; thence the Laisa Kha to the Molè stream, running between Kadôn and Laisa; thence the Molè to its confluence with the Cheyang Kha; thence the Cheyang Kha to Alaw Pum; thence the Nampaung stream to the Taping.

ARTICLE II.

Boundary between Burmah and Chinese Empire.

(From the Taping to the Shweli River.)

From the junction of the Taping and the Nampaung streams the frontier shall follow the Taping to the neighbourhood of the Lwalaing ridge; thence a line running approximately along the Lwalaing ridge and the Lwalaing stream to the Namwan; thence the Namwan to its junction with the Shweli.

Great Britain engages to recognize as belonging to China the

* "State Papers," Vol. LXXXVII, p. 523.

tract to the south of the Namwan River, near Namkhai, which is inclosed to the west by a branch of the Nam Mak River and the Mawsiu range of hills up to Loi Chow Peak, and thence by the range running in a north-easterly direction to the Shweli River.

In the whole of this area China shall not exercise any jurisdiction or authority whatever. The administration and control will be entirely conducted by the British Government, who will hold it on a perpetual lease from China, paying a rent for it, the amount of which shall be fixed hereafter.

ARTICLE III.

Boundary between Burmah and Chinese Empire.

(From the Shweli River to the Mekong.)

From the junction of the Namwan and Shweli the frontier shall follow the northern boundary of the State of North Hsinwi, as at present constituted, to the Salween, leaving to China the loop of the Shweli River, and almost the whole of Wanting, Mong-ko, and Mong-ka.

Starting from the point where the Shweli turns northward near Namswan, *i.e.*, from its junction with the Namyang, the frontier shall ascend this latter stream to its source in the Mong-ko Hills, in about latitude $24^{\circ} 7'$ and longitude $98^{\circ} 15'$, thence continue along a wooded spur to the Salween at its junction with the Namoi stream. The line shall then ascend the Salween till it meets the north-west boundary of Kokang, and shall continue along the eastern frontier of Kokang till it meets the Kunlong circle, leaving the whole circle of Kunlong to Great Britain.

The frontier shall then follow the course of the river forming the boundary between Somu, which belongs to Great Britain, and Mêng Ting, which belongs to China. It shall still continue to follow the frontier between those two districts, which is locally well known, to where it leaves the aforesaid river and ascends the hills, and shall then follow the line of water-parting between the tributaries of the Salween and the Meikong Rivers, from about longitude 99° east of Greenwich ($17^{\circ} 30'$ west of Peking), and latitude $23^{\circ} 20'$, to a point about longitude $99^{\circ} 40'$ east of Greenwich ($16^{\circ} 50'$ west of Peking), and latitude 23° , leaving to China the Tsawbwaships of Kêng Ma, Mengtung, and Mengko.

At the last-named point of longitude and latitude the line strikes a very lofty mountain range, called Kong-Ming-Shan, which it shall follow in a southerly direction to about longitude $99^{\circ} 30'$ east of Greenwich (17° west of Peking), and latitude $22^{\circ} 30'$, leaving to China the district of Chen-pien T'ing. Then, descending the western slope of the hills to the Namka River, it will follow the course of that river for about 10 minutes of

latitude, leaving Munglem to China and Manglün to Great Britain.

The frontier shall then follow the boundary between Munglem and Kiang Tong, which is locally well known, diverging from the Namka River a little to the north of latitude 22° , in a direction somewhat south of east, and generally following the crest of the hills till it strikes the Namlam River in about latitude $21^{\circ} 45'$ and longitude 100° east of Greenwich ($16^{\circ} 30'$ west of Peking).

It shall then follow the boundary between Kiang Tong and Kiang Hung, which is generally formed by the Namlam River, with the exception of a small strip of territory belonging to Kiang Hung, which lies to the west of that river, just south of the last-named parallel of latitude. On reaching the boundary of Western Kyaing Chaing, in about latitude $21^{\circ} 27'$ and longitude $100^{\circ} 12'$ east of Greenwich ($16^{\circ} 18'$ west of Peking), the frontier shall follow the boundary between that district and Kiang Hung until it reaches the Mekong River.

ARTICLE IV.

[No addition to original Convention.]

ARTICLE V.

Non-cession by China to any other Power of Mung Lem and Kiang Hung.

It is agreed that China will not cede to any other nation either Mung Lem or any part of Kiang Hung on the right bank of the Mekong, or any part of Kiang Hung now in her possession on the left bank of that river, without previously coming to an arrangement with Great Britain.

ARTICLE VI.

Demarcation of Boundary between Burmah and Chinese Empire.

Article VI of the original Convention shall be held to be modified as follows:—

It is agreed that, in order to avoid any local contention, the alignments of the frontier described in the present Agreement shall be verified and demarcated, and, in the event of their being found defective at any point, rectified by a Joint Commission appointed by the Governments of Great Britain and China, and that the said Commission shall meet, at a place hereafter to be determined by the two Governments not later

than twelve months from the date of the signature of the present Agreement, and shall terminate its labours in not more than three years from the date of its first meeting.

If a strict adherence to the line described would intersect any districts, tribal territories, towns or villages, the Boundary Commission shall be empowered to modify the line on the basis of mutual concessions. If the members of the Commission are unable to agree on any point, the matter of disagreement shall at once be referred to their respective Governments.

ARTICLE VII.

[No addition to original Convention.]

ARTICLE VIII.

[No addition to original Convention.]

ARTICLE IX.

Additional Routes for Frontier Trade.

Add as follows :—

In addition to the Manwyne and Sansi routes sanctioned by the Convention of 1894, the Governments of Great Britain and China agree that any other routes, the opening of which the Boundary Commissioners may find to be in the interests of trade, shall be sanctioned on the same terms as those mentioned above.

ARTICLE X.

[No addition to original Convention.]

ARTICLE XI.

[No addition to original Convention.]

ARTICLE XII.

Railway Communication between Burmah and Yunnan.

Add as follows :—

The Chinese Government agrees hereafter to consider whether the conditions of trade justify the construction of railways in Yunnan, and, in the event of their construction agrees to connect them with the Burmese lines.

ARTICLE XIII.

Appointment and Privileges of Consuls at additional places.—Most-favoured-nation Treatment.—These places to be on same footing as Treaty Ports.

Whereas by the original Convention it was agreed that China might appoint a Consul in Burmah, to reside at Rangoon; and that Great Britain might appoint a Consul to reside at Manwyne; and that the Consuls of the two Governments should each within the territories of the other enjoy the same privileges and immunities as the Consuls of the most favoured nation; and further, that, in proportion as the commerce between Burmah and China increased, additional Consuls might be appointed by mutual consent to reside at such places in Burmah and Yünnan as the requirements of trade might seem to demand:

It has now been agreed that the Government of Great Britain may station a Consul at Momein or Shunning-fu, as the Government of Great Britain may prefer, instead of at Manwyne, as stipulated in the original Convention, and also to station a Consul at Ssumao.

British subjects and persons under British protection may establish themselves, and trade at these places, under the same conditions as at the Treaty ports in China.

The Consuls appointed as above shall be on the same footing as regards correspondence and intercourse with Chinese officials as the British Consuls at the Treaty ports.

ARTICLE XIV.

Passports.

Instead of "Her Britannic Majesty's Consul at Manwyne" in the original Convention, read "Her Britannic Majesty's Consul at Shunning or Momein," in accordance with the change made in Article XIII.

ARTICLE XV.

[No addition to original Convention.]

ARTICLE XVI.

[No addition to original Convention.]

ARTICLE XVII.

[No addition to original Convention.]

ARTICLE XVIII.

[No addition to original Convention.]

ARTICLE XIX.

Revision of Convention.

Add as follows:—

Failing agreement as to the terms of revision, the present arrangements shall remain in force.

SPECIAL ARTICLE.

Opening of Wuchow-fu, Samshui, and Kong Kun to Foreign Trade and of Kongmoon, Komchuk, Shiuhing, and Takhing as Ports of Call.

Whereas on the 20th day of January, 1896, the Tsung-li Yamên addressed an official despatch to Her Majesty's Chargé d'Affaires at Peking, informing him that on the 30th day of December, 1895, they had submitted a Memorial respecting the opening of ports on the West River to foreign trade, and had received an Imperial Decree in approval, of which they officially communicated a copy:

It has now been agreed that the following places, viz., Wuchow-fu, in Kwangsi, and Samshui City and Kong Kun Market, in Kwangtung, shall be opened as Treaty ports and Consular stations, with freedom of navigation for steamers between Samshui and Wuchow and Hong Kong and Canton, by a route from each of these latter places to be selected and notified in advance by the Imperial Maritime Customs, and that the following four places shall be established as ports of call for goods and passengers, under the same Regulations as the ports of call on the Yang-tsze River, namely, Kongmoon, Komchuk, Shiuhing, and Takhing:

It is agreed that the present Agreement, together with the Special Article, shall come into force within four months of the date of signature, and that the ratifications thereof shall be exchanged at Peking as soon as possible; in witness whereof the Undersigned, duly authorized thereto by their respective Governments, have signed the present Agreement.

Done at Peking in triplicate—three copies in English, and three in Chinese—the 4th day of February, in the year of our Lord 1897.

(Signed)

CLAUDE M. MACDONALD.

(Seal.)

(Chinese signature of his Excellency Li.)

(Seal.)

No. 35.

REGULATIONS ISSUED BY THE TSUNG-LI YAMÊN TO THE CHINESE
SUPERINTENDENTS OF TRADE RELATIVE TO INLAND STEAM
NAVIGATION.

Peking, July 28, 1898.

(A).—*Registration.*

1. THE inland waters of China are hereby opened to all such steamers, native or foreign, as are specially registered for that trade at the Treaty ports. They may proceed to and fro at will under the following Regulations, but they must confine their trade to the inland waters, and must not proceed to places out of Chinese territory. The expression "inland waters" is used with similar meaning to that given for places in the interior ("nei-ti") in Section III, § 4, of the Chefoo Convention.

2. Trading steamers, native or foreign, not being vessels of sea-going type, whether plying only in the waters of a Treaty port or going thence inland, are to be registered at the custom-house and there take out papers, showing respectively the owners' name and residence, name and type of steamer, number of crew, &c., in addition to whatever national papers they are allowed or required by law to carry; such Customs papers are to be renewed annually, and are to be surrendered on change of ownership or when the vessel ceases to ply. The fee for the first issue of Customs papers will be 10 taels, and for each renewal 2 taels.

3. Such registered steamers may ply freely within the waters of the port without reporting their movements to the Customs; but if they go inland they must report both departure and return. No unregistered steamer will be allowed to ply inland.

4. As regards exhibition of lights, prevention of collision, shipping of crews, and inspection of boilers and machinery, &c., all such steamers are to observe the rules in force at the port they belong to. These rules will be published by the Customs and printed on the vessel's Customs papers.

(B).—*Revenue.*

5. Dutiable cargo shipped under these Regulations at any Treaty port on a registered steamer for conveyance to the

interior must be declared at the custom-house, and pay on export such duties as the Customs decide to be leviable. Dutiable cargo brought from inland to a Treaty port is to be in like manner dealt with by the custom-house there. As to the duties to be paid by vessels belonging to foreign merchants, they are to be in accordance with the Treaty Tariff.

6. Cargo landed or shipped inland is to pay at the place of landing or shipment whatever duty and *li-kin* local regulations call for. In dealing with the vessels of foreign merchants a procedure analogous to what the Treaty Tariff calls for is to be followed.

7. If such steamers have vessels in tow, they must bring to at whatever *li-kin* stations the vessels towed are required to stop at, for inspection and for the respective cargoes of both vessels to be dealt with as local rules prescribe. The rules to be enforced on foreign merchants must be in accordance with Treaty provisions and as well be published in full by the Customs. Steamers which have not special Customs papers are not permitted to tow vessels on the Yang-tsze.

8. Offences inland, whether against revenue laws or affecting person or property, are to be dealt with by the local authorities of the district in the same way as if they were committed by their own people; but if the vessel concerned is foreign-owned, or the Chinese implicated is a Chinese employed on board such foreign-owned vessel, the local authorities are to communicate with the nearest Commissioner of Customs, and the Commissioner, in turn, with the Consul, who may send a deputy to watch the proceedings. If the offender claims the status of a foreigner, he is to be treated in the manner prescribed in the Treaties where foreigners without passports are arrested, and sent to the proper Consul through the Commissioner of Customs at the nearest port.

9. If any such steamer passes any inland station or *li-kin* barrier that ought to be stopped at without stopping, or if any of the passengers, crew, &c., create trouble inland, the vessel may be fined or punished according to the station regulations, and the Customs may cancel the vessel's papers and refuse permission for her to trade inland again.

In cases where foreign-owned vessels are concerned, the merchant interested may elect to bring the whole case and the question of fine before a Joint Investigation Court, to be dealt with according to the regulations for cases of fine and confiscation promulgated in the year 1868.*

* Dated Peking, May 31, 1868.

The above Rules are for the inauguration of steam traffic, changes and suffice for the time being; if hereafter it is found that are necessary, they can be made from time to time, as required.

Peking, July 28, 1898.

No. 36.

REGULATIONS GOVERNING TRADE ON THE YANG-TSZE KIANG.

Peking, August 1898.

ART. 1. *Former Regulations Rescinded.*—The revised Regulations of Trade on the Yang-tsze Kiang (1862), having been amended, and the substance of their provisions having been incorporated in the present Yang-tsze Regulations, the said revised Regulations of Trade on the Yang-tsze Kiang are hereby abrogated, together with the Port and Customs Regulations thereon dependent.

2. *Ports, Stages, and Passenger Stations.*—The merchant-vessels of the Treaty Powers are authorized to trade on the Yang-tsze Kiang at the following Treaty ports:—

Chinkiang, Nanking, Wuhu, Kiukiang, Hankow, Shasi, Ichang, and Chungking; and to land and ship goods in accordance with special regulations at the following non-Treaty ports:

Tatung and Anking, in Anhwei; Hukow, in Kiangsi; Lukikow and Wusueh, in Hukwang.

Shipment or discharge of cargo at any other points on the river is prohibited, and any violation of the prohibition will be dealt with in accordance with the Treaty provisions applicable to clandestine trade along the coast; but passengers and their baggage may be landed and shipped at any of the regular passenger stations (at present consisting of Kiangyin and Ichang, in Liang Kiang, Hwangtzekang, and Hwangchow, in Hukwang); passengers' baggage must not contain articles subject to duty, and the presence of dutiable articles will render the whole liable to confiscation.

3. *Three Classes of Vessels.*—Merchant-vessels trading on the river are to be divided into three classes:—

First Class. Sea-going vessels trading for the voyage up river beyond Chinkiang;

Second Class. River steamers running regularly between any of the river ports or Shanghai and any river port;

Third Class. Small craft (lorchas, paticos, junks, &c.).

These three classes of vessels will be dealt with according to Treaty and the Rules for the ports traded at.

4. *Sea-going Vessels*.—Sea-going vessels trading no further up river than Chinkiang will be dealt with at Chinkiang in every respect like vessels trading at other coast ports; but sea-going vessels on a voyage further up river than Chinkiang become thereby vessels trading on the river of the first class set forth in the preceding Article; such merchantmen, whether steamers or sailing-vessels, must deposit their registers with the Consul, or, if Consularly unrepresented, with the Customs at Shanghai, Woosung, or Chinkiang, where the Customs, on receipt of a Consular application or a deposit of papers, will issue a certificate to the vessel, to be called the "Special River Pass," on which shall be entered the vessel's name, flag, registered tonnage, general cargo, and armament. The vessel may then proceed up river, and at whatever Treaty port she trades must report and clear, load and unload cargo, and pay dues and duties in the same manner as at other Treaty ports along the coast. On return to the port that issued it—Chinkiang, Woosung, or Shanghai—the "Special River Pass" is to be surrendered to the Customs, and the Customs, on having ascertained that all dues and duties have been paid, and all other conditions satisfied, will then issue the "Grand Chop" to enable the vessel to procure her register and proceed to sea.

5. *River Steamers*.—Any steamer intended to trade regularly on the river may deposit her register at the Consulate at Shanghai, or, if Consularly unrepresented at the custom-house, when the Customs, on the receipt of a Consular application or on the deposit of the register, will issue a certificate, on which shall be entered the vessel's name, flag, registered tonnage, and armament, to be called the "river pass," that shall be valid during the current year; such river pass must be renewed every year either at Shanghai or at Hankow or Ichang in the case of river steamers trading above those places, and not returning to Shanghai.

River-pass steamers will report and clear, load and discharge, and pay dues and duties in accordance with the Customs Regulations of the port concerned; their tonnage dues are to be paid at the ports which issue or renew the river pass (Shanghai, Hankow, or Ichang).

Infringement of River-Port Regulations will be punished by the infliction of the penalties in force at other Treaty ports; for a second offence the river pass may be cancelled and the steamer refused permission to trade thenceforward above Chinkiang.

Any steamer not provided with a river pass, if proceeding

above Chinkiang, will come under the rule affecting sea-going vessels laid down in Article 4, and will be treated accordingly.

6. *River Pass Steamers' Cargo*.—The former Regulation having been abrogated which made it obligatory to deposit coast-trade duties simultaneously with paying export duties, river-pass steamers will now pay duties in the same way as vessels at other Treaty ports along the coast—that is, export duties at the port of departure before shipment of exports, and import or coast-trade duties at the port of discharge before release of imports; and similarly they will ship, tranship, and discharge cargo after report, examination, and issue of permit, in the same way as vessels at Treaty ports along the coast.

When tea is landed by a river-pass steamer, the consignee, instead of paying coast-trade duty, may deposit a bond for the amount; on proof of reshipment within a year, the bond will be cancelled. When reshipped tea is relanded at another port, *e.g.*, reshipped at Hankow and relanded at Shanghai, a new bond will be required in lieu of coast-trade duty, to be cancelled on subsequent reshipment; and so on.

7. *Small Craft (Lorchas, Papicos, Junks, &c.)*.—

(a.) Lorchas, &c., owned by foreigners, if provided with registers, and entitled to fly national flags, are required to take out a special river pass either through the Consulate or from the Customs direct at Chinkiang if proceeding further up the river. They will report, work cargo, and pay duties like other sea-going special river-pass vessels.

(b.) Papicos, &c., owned by foreigners, but not provided with registers or entitled to fly national flags, are to take out Customs registers at the port they belong to, and report, work cargo, and pay duties in the same way as lorchas.

(c.) Chinese junks chartered by foreigners are only available for conveying foreign-owned cargo from Treaty port to Treaty port; they must take out special junk papers at the Customs, to be obtained in exchange for bonds executed at and deposited with the Customs, and the conditions of the bond being that the cargoes are *bonâ fide* foreign property, and will be landed and pay duty at a Treaty port, and the penalty that if the cargoes fail to be so landed and pay duty, no chartered junk will thereafter be cleared for the foreigner in question. Such junks to report, work cargo, and pay duties in the same way as lorchas, papicos, &c.

8. *Cargo Certificates*.—Special river-pass merchantmen, river-pass steamers, and lorchas, papicos and junks, &c., must apply to the Customs at the port of departure for a cargo certificate ("tsung tan"), which, on the vessel's arrival at the port of destination, must be handed in to the Customs before permission to discharge can be given. The vessel will be responsible for the duties on all goods entered on the said cargo certificate, and not landed on permit at port of discharge.

9. *Miscellaneous*.—Any trading-vessel falling in with a revenue cruiser or Customs boat on the Yang-tsze Kiang is to produce her papers for inspection if examination of them is required. Vessels unprovided with proper papers will be dealt with under the Treaty Articles penalizing clandestine trade along the coast.

The Customs may seal the hatches of any vessel trading on the Yang-tsze, and may place Customs officers on board to accompany her on the trip, whether up stream or down.

Special river-pass vessels of the first class are not required to anchor to exhibit their papers at the intermediate ports passed and not traded at.

10. *Yang-tsze Customs and Port Regulations*.—The adoption and promulgation of new regulations for vessels trading on the Yang-tsze having rendered meaningless sundry Customs and Port Regulations which guided procedure under the former system, and having necessitated the substitution of fresh Regulations and different practice under the system now introduced, the ports concerned (Shanghai, Chinkiang, Nanking, Wuhu, Kiukiang, Hankow, Shasi, Ichang, and Chungking), will proceed forthwith to arrange and publish new Rules and Regulations, and these are, on the one hand, to facilitate trade, and, on the other, to protect revenue and prevent smuggling.

The above Regulations are open to revision when and if necessary.

No. 37.

SUPPLEMENTARY RULES UNDER INLAND STEAM NAVIGATION REGULATIONS.

Peking, September, 1898.

1. FOREIGN goods going inland on steamers can either be taken with transit passes or by payment of dues and duties at the several stations passed *en route*, at the merchant's option. The vessels are not to be held in any way responsible for the terminal duties on cargo, but it must not be landed clandestinely.

2. Native goods leaving a Treaty port for the interior in a steamer must be declared at the proper custom-house, and pay export duty according to the regulation for outgoing cargo

shipped in native vessels. They will pay inland whatever dues and duties are payable by similar goods carried in native vessels. If the goods declared are native re-exports which have originally paid export duty at another port, they may be shipped free of export duty; but as regards inland dues and duties are on the same footing as ordinary exports. The responsibility for any duties payable on goods at place of destination, no matter where the vessel comes from, attaches to the cargo and not to the vessel; but the cargo must not be landed clandestinely.

3. Native goods once regularly shipped on board a steamer in the interior are not later required to produce proof of payment of such local duties as were leviable there before shipment; but they are liable for *en route* duties.

On arrival at a Treaty port they will, if for local native consumption, pay to the proper office the duties paid on similar cargo carried in native vessels. Outside this duty the steamer is not to be held responsible for any duty, *li-kin*, contribution, or charge.

If the native produce is intended for export, it may be brought from the interior either under a transit certificate issued on deposit of bond, according to what are known as the "Chinkiang Rules," or by paying dues and duties in accordance with regulation *en route*, at the option of the merchant concerned, whether a Chinese or a foreigner.

Goods brought from the interior merely for transshipment into a sea-going or river steamer are not liable to any duty at the port except the Treaty Tariff export duties.

4. All inland-going steamers are to pay tonnage dues once in four months, at the Treaty Tariff rate, at the port where registered. Towed native boats are liable to such "ch'uan-liao" as the regulations provide for.

5. Cargo shipped on native boats to be towed by steamers is to be on the same footing as regards duty payment as steamers' cargo.

6. Steamers are not allowed to land cargo except at places ordinarily recognized as places of trade for native vessels; in the event of their violating this rule, they will be dealt with as the Treaties provide in the case of vessels frequenting places not open to trade. Similarly, vessels on the registers for inland waters' trade carrying goods out of Chinese territory or jurisdiction will be liable to a fine not exceeding 200 taels for the first offence; for the second, the penalty will be abrogation of the right to carry on inland trade.

7. The Customs at the Treaty ports will give cargo certificates detailing all the cargo shipped there under its

cognizance. These certificates will form the basis of duty payment at way stations, and the vessels concerned, unless there is reason to suspect them of smuggling, will not be detained for rigid examination at each place, but will be released on payment of proper duty.

Manifests of all cargo to be landed are to be handed in at the landing-places (in Chinese if the places are away from the Treaty ports).

8. As regards the publication of the rules and regulations in force at the several places where dues and duties are payable, referred to in Rule 7, it is understood that the publication is to take place before the end of this Chinese year. In the meantime, if vessels do not stop at stations they will not be liable to any penalty for passing them, unless they are hailed to bring-to by the station or one of its boats, and disregard the summons.

9. After the regulations have been notified, the provincial authorities will appoint at each Treaty port a responsible officer, who will collect on provincial account the dues and duties prescribed in Articles 2 and 3 on goods going to or coming from inland waters, and report the collection at stated intervals to his superiors. He will receive in one lump sum all the dues and duties a vessel lading for a certain destination is bound to pay at the various stations she will pass on the way. The officer will give a certificate of receipt, presentation of which at the stations will exempt the goods from levy of duty or vexatious examination.

The officer appointed will have an office in the vicinity of the custom-house, and will work in concert with, and under the guidance of, the Commissioner. In case any question or difficulty arises, the Commissioner and the Superintendent of Customs will arrange it amicably; when a foreigner is concerned, he has the option of having it dealt with under the Joint Investigation Rules.

These Supplementary Rules, like the Rules to which they are appended, are provisional, and liable to change as required.

September 1898.

No. 38.

AGREEMENT RESPECTING THE NEW CHINESE CUSTOMS TARIFF.

Signed at Shanghai, August 29, 1902.

WHEREAS it was provided by the Final Protocol signed at Peking on the 7th of September, 1901 (Article VI),* that the existing Tariff on goods imported into China should be increased to an effective 5 per cent., and whereas it was further provided that all duties levied on imports *ad valorem* should be converted as far as feasible and with the least possible delay into specific duties, this conversion to be effected in the following manner:—The average value of merchandise at the time of landing during the three years 1897, 1898, and 1899, that is to say, the market price less the amount of import duty and incidental expenses to be taken as the basis for the valuation of such merchandise.

The Special Commissioners of—

Austria-Hungary—

M. E. von Hirsch;

Belgium—

M. D. Siffert;

Germany—

Dr. A. Boyé;

Great Britain—

Sir James L. Mackay;

Japan—

Mr. E. Hioki, Mr. M. Odagiri, Mr. J. Yamaoka;

Netherlands—

M. G. D. Advocaat, M. F. B. s'Jacob;

Spain—

M. D. Siffert; and of

China—

Their Excellencies Lu Hai-Huan and Sheng Hsuan-huai,

have agreed and determined, on the basis aforesaid, upon the Tariff hereto appended together with certain Rules for the application thereof; and do hereby agree that the said Tariff and Rules shall be binding on the Governments and subjects of their respective Countries and of China.

* See "Commercial Treaties," Vol. XXIII., p. 366.

The Tariff and Rules aforesaid shall be binding on and after the 31st October, 1902, the first day of the tenth Chinese moon.

Should it be ascertained hereafter that any articles have been omitted from this Tariff which it is found can be conveniently provided for on a specific basis in terms of the Final Protocol of 1901, it is understood that the necessary additions shall be made at rates to be mutually agreed upon by Representatives of the various Powers by whom this Tariff has been signed.

It is understood that, in the event of there being any difference of meaning between the English and Chinese Texts of the Tariff and Rules, the sense as expressed in the English Text shall be held to be the correct sense.

The present Agreement has been drawn up in eight identic copies and signed by all the Special Commissioners of the countries aforesaid. One copy shall be given to the Special Commissioners of each Foreign Country, and one copy shall be given to the Chinese Special Commissioners.

(Signed) E. v. HIRSCH.

(Subject to the approval of His Imperial and Royal Apostolic Majesty's Government.)

D. SIFFERT.

Ad referendum.

DR. BOYÉ.

JAS. L. MACKAY.

E. HIOKI.

M. ODAGIRI.

J. YAMAOKA.

ADVOCAAT.

Ad referendum.

F. B. s'JACOB.

Ad referendum.

D. SIFFERT.

Ad referendum.

LU HAI-HUAN,

SHENG HSUAN-HUAI.

{ (Signatures
in Chinese
characters.)

Shanghai, Friday, August 29, 1902.

TARIFF.*

[NOTE.—1 picul = 100 catties = 133½ lb. av. 1 Haikwan tael, at present rate of exchange = about 2s. 7d.]

Name of Article.				Tariff Unit and Duty.		
				Per—		Hk. Taels.
Agar-agar	...	...	...	Picul	...	0.300
Agaric.	See Fungus.					
Amber	...	...	...	Catty	...	0.325
Aniseed, star—						
1st quality (value 15 taels and over per picul)				Picul	...	1.000
2nd quality (value under 15 taels per picul)				"	...	0.440
Apricot seed	...	...	...	"	...	0.900
Arrowroot and arrowroot flour	...	...	...	Value	...	5 per cent.
Asafoetida	...	...	...	Picul	...	1.000
Asbestos—						
Boiler composition	...	...	...	"	...	0.200
Fibre	...	...	...	"	...	5.000
Millboard	...	...	...	"	...	0.500
Packing, including sheets and blocks	...	...	...	"	...	3.500
" " metallic	...	...	...	"	...	5.000
Yarn	...	...	...	"	...	2.250
Awabi	...	...	...	"	...	1.500
Bacon and ham	...	...	...	Value	...	5 per cent.
Bags—						
Grass	...	...	...	Thousand	...	1.250
Gunny	...	...	...	"	...	4.250
" " old	...	...	...	Value	...	5 per cent.
Hemp	...	...	...	Thousand	...	4.250
" " old	...	...	...	Value	...	5 per cent.
Straw	...	...	...	Thousand	...	1.250
Baking powder—						
4-oz. bottles or tins	...	...	...	Dozen	...	0.083
6 " " "	...	...	...	"	...	0.110
8 " " "	...	...	...	"	...	0.145
12 " " "	...	...	...	"	...	0.226
1-lb. bottles or tins	...	...	...	"	...	0.303
3-lb. " " "	...	...	...	"	...	0.810
5-lb. " " "	...	...	...	"	...	1.350
Bark—						
Mangrove	...	...	...	Picul	...	0.073
Plum-tree	...	...	...	"	...	0.120
Yellow (for dyeing)	...	...	...	Value	...	5 per cent.
" " (medicinal)	...	...	...	Picul	...	0.800
Barley, pearl	...	...	...	"	...	0.300
Basins—						
Tin (common)	...	...	...	Gross	...	0.250
Iron, enamelled—						
Up to 9 ins. in diameter, decorated or undecorated				Dozen	...	0.050
Over 9 ins. in diameter, agate, blue and white, grey or mottled, undecorated				"	...	0.090

* Came into force on October 31, 1902.

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Basins— <i>contd.</i>		
Iron, enamelled— <i>contd.</i>		
Over 9 ins. in diameter, decorated (with gold)	Dozen	0·175
Over 9 ins. in diameter, decorated (without gold)	„	0·125
Beads—		
Coral ...	Catty	0·750
Cornelian ...	Picul	7·000
Glass, all kinds ...	Value	5 per cent.
Beer. <i>See</i> Wines, &c.		
Beeswax, yellow ...	Picul	1·600
Belting ...	Value	5 per cent.
Betel-nut—		
Husk, dried ...	Picul	0·077
„ fresh ...	„	0·018
Leaves, dried ...	„	0·045
Betel-nuts—		
Dried ...	„	0·225
Fresh ...	„	0·018
Bezoar, cow, Indian	Value	5 per cent.
Bêche-de-mer—		
Black ...	Picul	1·600
White ...	„	0·700
Bicycle materials	Value	5 per cent.
Bicycles	Each	3·000
Birds' nests—		
1st quality ...	Catty	1·400
2nd „ ...	„	0·450
3rd „ ...	„	0·150
Blue—		
Paris ...	Picul	1·500
Prussian ...	„	1·500
Bones, tiger	„	2·500
Books—		
Chinese ...	...	Free.
Printed, charts, maps, newspapers, and periodicals	...	„
Borax—		
Crude ...	Picul	0·610
Refined ...	„	1·460
Braid, llama	„	5·000
Bricks, fire	Value	5 per cent.
Bronze powder	Picul	2·200
Butter, in tins, jars, and other packages	„	2·000
Buttons—		
Agatè and porcelain	12 gross	0·010
Brass, and other kinds (not jewellery)	Gross	0·020
Byrrh. <i>See</i> Wines, &c.		
Camphor	Picul	1·650
„ Baroos, clean	Catty	2·450
„ „ refuse	Value	5 per cent.
Candles—		
9-oz. ...	Case of 25 packages of 6 candles	0·075

Name of Article.	Tariff Unit and Duty.		
	Per—	Hk. Taels.	
Candles— <i>contd.</i>			
12-oz.	Case of 25 packages of 6 candles	0·100	
16-oz.	„	0·133	
(Other weights, duty in proportion.)			
Candles, of all kinds, differently packed ...	Picul ...	0·750	
Canes—			
Bamboo	Thousand ...	0·400	
Coir, 1 ft. long	Picul ...	0·200	
„ 5 ft. „	Thousand ...	0·300	
Canned fruits, vegetables, &c. (all weights and measures approximate)—			
Apples ...	Table fruits	Dozen 2½-lb. cans	0·065
Apricots ...			
Grapes ...			
Peaches ...	Pie fruits	„	0·057
Pears ...			
Plums ...			
Preserved fruits, in glass bottles, jars, cardboard or wooden boxes, including weight of immediate package	Picul ...	0·650	
Asparagus	Dozen 2½-lb. tins	0·118	
Corn	Dozen 2-lb. tins	0·054	
Peas	„	0·060	
String beans	„	0·054	
Tomatoes	Dozen 2½-lb. tins	0·054	
All other vegetables preserved in tins, bottles, or jars, including weight of immediate package	Picul ...	0·525	
Tomato sauce and catsup—			
½ pint bottles	Dozen ...	0·054	
1 „ „	„ ...	0·087	
Jams and jellies—			
1-lb. tins, bottles, or jars	„ ...	0·060	
2 „ „ „	„ ...	0·118	
Milk (including condensed)	Case of 4-doz. 1-lb. tins	0·250	
Cream, evaporated—			
4 doz. pints (family size)	Case ...	0·230	
2 „ quarts (hotel „)	„ ...	0·260	
Canned meats—			
Bacon or ham, sliced—			
½-lb. tins	Dozen ...	0·077	
1 „ „	„ ...	0·144	
Dried beef, sliced	Dozen 1-lb. jars	0·144	
Mincemeat—			
½-lb. pails	Dozen ...	0·100	
3 „ „	„ ...	0·181	
Kits, ½ barrels and barrels	Picul ...	0·729	

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Canned meats— <i>contd.</i>		
Pork and beans, plain or with tomato sauce—		
1-lb. tins	Dozen ...	0.040
2 " " " " " " " " " " " "	" " " "	0.075
3 " " " " " " " " " " " "	" " " "	0.085
Potted and devilled meat—		
1-lb. tins	" " " "	0.022
2 " " " " " " " " " " " "	" " " "	0.042
Potted and devilled poultry and poultry and meat combined—		
1-lb. tins	" " " "	0.042
2 " " " " " " " " " " " "	" " " "	0.072
Soup and bouilli—		
2-lb. tins	" " " "	0.101
6 " " " " " " " " " " " "	" " " "	0.244
Tamales chicken—		
1-lb. tins	" " " "	0.051
1 " " " " " " " " " " " "	" " " "	0.080
Tongues of every description—		
1-lb. tins	" " " "	0.098
1 " " " " " " " " " " " "	" " " "	0.204
1 1/2 " " " " " " " " " " " "	" " " "	0.287
2 " " " " " " " " " " " "	" " " "	0.333
2 1/2 " " " " " " " " " " " "	" " " "	0.445
3 " " " " " " " " " " " "	" " " "	0.515
3 1/4 " " " " " " " " " " " "	" " " "	0.545
All other canned meats, including game, of every description, with or without vegetables—		
1-lb. tins	" " " "	0.052
1 " " " " " " " " " " " "	" " " "	0.063
2 " " " " " " " " " " " "	" " " "	0.120
4 " " " " " " " " " " " "	" " " "	0.210
6 " " " " " " " " " " " "	" " " "	0.370
14 " " " " " " " " " " " "	" " " "	0.810
Canvas and cotton duck, not exceeding 36-ins. wide	Yard ...	0.010
Capoor cutchery	Value ...	5 per cent.
Cardamoms—		
Superior, and amomums	Picul ...	10.000
Inferior, or grains of paradise	" " " "	1.000
Husk	" " " "	0.250
Cards, playing	Value ...	5 per cent.
Cassia—		
Buds	Picul ...	0.750
Lignea	" " " "	0.920
Twigs	" " " "	0.170
Cement	Cask of 3 piculs	0.150

Name of Article.	Tariff Unit and Duty.	
Cereals and flour...	Per—	Hk. Taels. Free.
<i>Including</i> barley, maize, millet, oats, paddy, rice, wheat, and flour made therefrom; also buckwheat and buckwheat flour, corn flour and yellow corn meal, rye flour, and hovis flour.		
<i>But not including</i> arrowroot and arrowroot flour, cracked wheat, germea, hominy, pearl barley, potato flour, quaker oats, rolled oats, sago and sago flour, shredded wheat, tapioca and tapioca flour, and yam flour.		
Chairs, Vienna bent-wood...	Dozen	0.800
Charcoal	Picul	0.030
Cheese	Value	5 per cent.
Chestnuts	Picul	0.180
China-root, whole, sliced, or in cubes	"	0.650
Chinaware, coarse and fine	Value	5 per cent.
Chloride of lime	Picul	0.300
Chocolate, sweetened	Pound	0.012
Cigarettes, 1st quality (value exceeding 4.50 taels per 1,000)	Thousand	0.500
Cigarettes, 2nd quality (value not exceeding 4.50 taels per 1,000)	"	0.090
Cigars	"	0.500
Cinnabar	Picul...	3.750
Cinnamon	"	4.000
Clams, dried	"	0.550
Clocks, of all kinds	Value	5 per cent.
Cloves	Picul	0.630
" Mother	"	0.360
Coal—		
Asiatic	Ton	0.250
Other kinds	"	0.600
Asiatic, briquettes	"	0.500
Cochineal	Value	5 per cent.
Cockles—		
Dried	Picul	0.500
Fresh	"	0.050
Cocoa	"	3.600
Coffee	"	1.000
Coir canes—		
1 ft. long	"	0.200
5 "	Thousand	0.300
Coke—		
Asiatic	Ton	0.500
Other kinds	"	0.900
Compoy	Picul	2.000
Coral	Catty	1.110
Beads	"	0.750
Broken and refuse	"	0.550
Cordage, of all kinds	Value	5 per cent.
Cornelian beads	Picul	7.000
" stones, rough	Hundred	0.300
Corundum sand	Picul	0.195

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Cotton piece-goods—		
Grey shirtings or sheetings, not exceeding 40 ins. wide and not exceeding 40 yds. long—		
(a.) Weight 7 lb. and under	Piece ...	0·050
(b.) „ over 7 lb. and not over 9 lb. „	„ ...	0·080
(c.) „ „ 9 „ „ 11 „	„ ...	0·110
(d.) „ „ 11 „ „ „	„ ...	0·120
Imitation native cotton cloth (hand-made), grey or bleached—		
(a.) Not exceeding 20 ins. wide and not exceeding 20 yds. long; weight 3 lb. and under	Piece ...	0·027
(b.) Exceeding 20 ins. wide	Value ...	5 per cent.
White shirtings, white irishes, white sheetings, white brocades, and white striped or spotted shirtings: not exceeding 37 ins. wide and not exceeding 42 yds. long	Piece ..	0·135
Drills, grey or white: not exceeding 31 ins. wide and not exceeding 40 yds. long—		
(a.) Weight 12 $\frac{3}{4}$ lb. and under	„ ...	0·100
(b.) „ over 12 $\frac{3}{4}$ lb.	„ ...	0·125
Jeans, grey or white—		
(a.) Not exceeding 31 ins. wide and not exceeding 30 yds. long	„ ...	0·090
(b.) Not exceeding 31 ins. wide and not exceeding 40 yds. long	„ ...	0·120
T-cloths, grey or white—		
(a.) Not exceeding 34 ins. wide and not exceeding 24 yds. long	„ ...	0·070
(b.) Not exceeding 34 ins. wide and exceeding 24 yds., but not exceeding 40 yds. long	„ ...	0·135
(c.) Exceeding 34 ins. but not exceeding 37 ins. wide, and not exceeding 24 yds. long	„ ...	0·080
Crimp cloth and crape, plain—		
(a.) Not exceeding 30 ins. wide and not exceeding 6 yds. long	„ ...	0·027
(b.) Not exceeding 30 ins. wide, exceeding 6 yds. but not exceeding 10 yds. long	„ ...	0·035
(c.) Not exceeding 30 ins. wide, but exceeding 10 yds. long	Yard ...	0·003 $\frac{1}{2}$
White muslins, white lawns, and white cambrics, not exceeding 46 ins. wide and not exceeding 12 yds. long	Piece ...	0·032
Mosquito netting, white or coloured, not exceeding 90 ins. wide	Yard ...	0·010
Lenos and balzarines, white, dyed, or printed, not exceeding 31 ins. wide and not exceeding 30 yards long	Piece ...	0·090
Leno brocades and balzarine brocades, dyed	Value ...	5 per cent.

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Cotton piece-goods—contd.		
Prints—		
(a.) Printed cambrics, lawns, or muslins, not exceeding 46 ins. wide and not exceeding 12 yds. long	Piece ...	0·037
(b.) Printed chintzes, printed crapes, printed drills, printed furnitures, printed shirtings, printed T-cloths (including those goods known as blue and white printed T-cloths), printed twills; but not including goods mentioned in (e) and (h)—		
(1.) Not exceeding 20 ins. wide ...	Value ...	5 per cent.
(2.) Exceeding 20 ins. but not exceeding 31 ins. wide and not exceeding 30 yds. long	Piece ...	0·080
(c.) Printed crimp cloth—		
(1.) Not exceeding 30 ins. wide and not exceeding 6 yds. long	,, ...	0·027
(2.) Not exceeding 30 ins. wide, exceeding 6 yds. but not exceeding 10 yards long	,, ...	0·035
(3.) Not exceeding 30 ins. wide but exceeding 10 yds. long	Yard ...	0·003½
(d.) Printed lenos and balzarines, not exceeding 31 ins. wide and not exceeding 30 yds. long	Piece ...	0·090
(e.) Printed sheetings, not exceeding 36 ins. wide and not exceeding 43 yds. long	,, ...	0·185
(f.) Printed Turkey reds, of all kinds, not exceeding 31 ins. wide and not exceeding 25 yds. long	,, ...	0·100
(g.) Printed sateens, printed satinets, printed reps, printed cotton lastings, including all cotton piece-goods which are both dyed and printed, except those specified in (f) and (h), and including any special finish, such as mercerised finish, schreiner finish, gassed finish, silk finish, or electric finish, not exceeding 32 ins. wide and not exceeding 32 yds. long	,, ...	0·250
(h.) Duplex prints or reversible cretonnes (not including those goods known as blue and white printed T-cloths)	Value ...	5 per cent.
Dyed cottons—		
(a.) Dyed plain cottons, <i>i.e.</i> , without woven or embossed figures (including plain Italians, lastings, reps, and ribs, and all other dyed plain cottons not otherwise enumerated, and including any special finish, such as mercerised finish, schreiner finish, gassed finish, silk finish, or electric finish), not exceeding 36 ins. wide and not exceeding 33 yards long	Piece ...	0·240

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Cotton piece-goods—<i>contd.</i>		
Dyed cottons—<i>contd.</i>		
(b.) Dyed figured cottons, <i>i.e.</i> , with woven or embossed figures (including figured Italians and lastings, figured reps, and figured ribs, and all other dyed figured cottons not otherwise enumerated, and including any special finish, such as mercerised finish, schreiner finish, gassed finish, silk finish, or electric finish), not exceeding 36 ins. wide and not exceeding 33 yds. long	Piece ...	0·150
(c.) Dyed crimp cloth—		
(1.) Not exceeding 30 ins. wide and not exceeding 6 yds. long	,, ...	0·027
(2.) Not exceeding 30 ins. wide, exceeding 6 yds., but not exceeding 10 yds. long	,, ...	0·035
(3.) Not exceeding 30 ins. wide, but exceeding 10 yds. long	Yard ...	0·003½
(d.) Dyed drills, not exceeding 31 ins. wide and not exceeding 43 yds. long	Piece ...	0·170
(e.) Dyed lenos and balzarines, not exceeding 31 ins. wide and not exceeding 30 yds. long	,, ...	0·090
(f.) Dyed leno brocades	Value ...	5 per cent.
(g.) Dyed muslins, lawns, and cambrics, not exceeding 46 ins. wide and not exceeding 12 yds. long	Piece ...	0·037
(h.) Dyed shirtings and sheetings, not exceeding 36 ins. wide and not exceeding 43 yds. long	,, ...	0·150
(i.) Hong Kong-dyed shirtings, not exceeding 36 ins. wide and not exceeding 20 yds. long	,, ...	0·100
(j.) Dyed cotton cuts, not exceeding 36 ins. wide and not exceeding 5½ yds. long	,, ...	0·022½
(N.B.)—The <i>pro rata</i> rule does not apply.)		
(k.) Dyed T-cloths (including dyed alpacianos), dyed real and imitation Turkey reds of all kinds, not exceeding 32 ins. wide and not exceeding 25 yds. long—		
(1.) Weight 3¼ lb. and under ...	,, ...	0·060
(2.) „ over 3¼ lb. ...	,, ...	0·100
Flannelettes and cotton Spanish stripes—		
(a.) Cotton flannel, Canton flannel, swansdowns, flannelettes, and raised cotton cloths of all kinds, plain, dyed, and printed—		
(1.) Not exceeding 36 ins. wide and not exceeding 15 yds. long	,, ...	0·065
(2.) Not exceeding 36 ins. wide, exceeding 15 yds. but not exceeding 30 yds. long	,, ...	0·130

Name of Article.	Tariff Unit and Duty.	
Cotton piece-goods— <i>contd.</i>	Per—	Hk. Taels.
Flannelettes and cotton Spanish stripes— <i>contd.</i>		
(b.) Dyed cotton Spanish stripes—		
(1.) Not exceeding 32 ins. wide and not exceeding 20 yds. long	Piece ...	0·085
(2.) Exceeding 32 ins. but not exceeding 64 ins. wide, and not exceeding 20 yds. long	,, ...	0·170
Coloured woven cottons, <i>i.e.</i> , dyed in the yarn, except crimp cloth	Value ...	5 per cent.
Crimp cloth—		
(a.) Not exceeding 30 ins. wide and not exceeding 6 yds. long	Piece ...	0·027
(b.) Not exceeding 30 ins. wide and exceeding 6 yds. but not exceeding 10 yds. long	,, ...	0·035
(c.) Not exceeding 30 ins. wide but exceeding 10 yds. long	Yard ...	0·003½
Velvets and velveteens, velvet cords, and fustians—		
(a.) Velvets and velveteens, plain—		
(1.) Not exceeding 18 ins. wide ...	,, ...	0·006
(2.) Exceeding 18 ins. but not exceeding 22 ins. wide	,, ...	0·007
(3.) Exceeding 22 ins. but not exceeding 26 ins. wide	,, ...	0·008
(b.) Velvets and velveteens, printed or embossed, not exceeding 30 ins. wide	,, ...	0·015
(c.) Dyed velvet cords, dyed velveteen cords, dyed corduroys, dyed fustians of any description, not exceeding 30 ins. wide	,, ...	0·015
Blankets, cotton, plain, printed, or jacquard	Piece ...	0·030
Handkerchiefs, cotton—		
(a.) Plain, dyed, or printed, not embroidered, hem-stitched, or initialled, not exceeding 1 yd. square	Dozen ...	0·020
(b.) All other handkerchiefs ...	Value ...	5 per cent.
Singles or drawers, cotton ...	Dozen ...	0·125
Socks, cotton (including Lisle thread)— 1st quality (<i>i.e.</i> , valued at 1 tael or over per dozen pairs)	Dozen pairs...	0·075
2nd quality (<i>i.e.</i> , valued at less than 1 tael per dozen pairs)	,, ...	0·032
Towels, cotton—		
(a.) Honeycomb or huckaback, plain or printed (dimensions exclusive of fringe)—		
(1.) Not exceeding 18 ins. wide and not exceeding 40 ins. long	Dozen ...	0·020
(2.) Exceeding 18 ins. wide and not exceeding 50 ins. long	,, ...	0·030
(b.) All other towels ...	Value ...	5 per cent.
Cottons, unclassified ...	,, ...	
Cotton, raw ...	Picul ...	0·600

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Cotton thread—		
Ball thread, dyed or undyed	Picul ...	3·000
On spools, 50 yds.	Gross ...	0·040
„ „ 100 yds.	„ ...	0·080
„ „ 200 yds.	„ ...	0·160
Cotton yarn—		
Grey or bleached	Picul ...	0·950
Dyed	Value ...	5 per cent.
Gassed	„ ...	„
Mercerised	„ ...	„
Woola or berlinette	Picul ...	3·500
Cow bezoar, Indian	Value ...	5 per cent.
Crabs' flesh	Picul ...	0·600
Crocodile (including armadillo) scales	„ ...	2·725
Currants	„ ...	0·500
Cutch	„ ...	0·300
Cuttle-fish	„ ...	0·667
Dyes, colours, and paints—		
Aniline	Value ...	5 per cent.
Blue, Paris	Picul ...	1·500
„ Prussian	„ ...	1·500
Bronze powder	„ ...	2·200
Carthamin	Value ...	5 per cent.
Chrome yellow	„ ...	„
Cinnabar	Picul ...	3·750
Gamboge	„ ...	2·700
Green—		
Emerald	„ ...	1·000
Schweinfurt, or imitation	„ ...	1·000
Indigo—		
Dried, artificial or natural	Value ...	5 per cent.
Liquid, artificial	Picul ...	2·025
„ natural	„ ...	0·215
Paste, artificial	„ ...	2·025
Lead—		
Red, dry or mixed with oil	„ ...	0·450
White	„ ...	0·450
Yellow	„ ...	0·450
Logwood extract	„ ...	0·600
Ochre	„ ...	0·600
Smalt	„ ...	1·600
Ultramarine	„ ...	0·500
Vermilion	„ ...	4·000
„ imitation	Value ...	5 per cent.
White zinc	„ ...	„
Paints, unclassified	„ ...	„
Elephants' teeth (other than tusks) and jaws, whole or parts	Picul ...	3·000
Elephants' tusks, whole or parts	Catty ...	0·170
Emery cloth and sandpaper (sheets not exceeding 144 square ins.)	Ream ...	0·250
Emery powder	Value ...	5 per cent.
Enamelled ironware—		
Mugs, cups, basins, and bowls, 9 ins. or under in diameter, decorated or undecorated	Dozen ...	0·050

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Enamelled ironware—<i>contd.</i>		
Basins and bowls, over 9 ins. in diameter, agate, blue and white, grey, mottled, undecorated	Dozen ...	0·090
Basins and bowls, over 9 ins. in diameter, decorated (with gold)	,, ...	0·175
Basins and bowls, over 9 ins. in diameter, decorated (without gold)	,, ...	0·125
Enamelware, unclassified	Value ...	5 per cent.
Fans—		
Palm-leaf, coarse	Thousand ...	0·280
,, fine	,, ...	0·450
,, fancy	,, ...	1·000
Paper or cotton, of all kinds	,, ...	1·400
Silk	Value ...	5 per cent.
Feathers—		
Kingfisher, part skins (<i>i.e.</i> , wings, tails, or backs)	Hundred ...	0·250
,, whole skins	,, ...	0·600
Peacock	Value ...	5 per cent.
Files. <i>See</i> Tools.		
Fireclay... ..	Picul ...	0·050
Firewood	,, ...	0·010
Fish—		
Cuttle... ..	,, ...	0·667
Dried or smoked, in bulk (including stock-fish but not including cuttle-fish)	,, ...	0·315
Fresh	,, ...	0·137
Maws	,, ...	4·250
Salt	,, ...	0·160
Skins	,, ...	0·600
Stock	,, ...	0·315
Flints	,, ...	0·040
Flour. <i>See</i> Cereals.		
Flour, arrowroot, potato, sago, tapioca, yam	Value ...	5 per cent.
Fungus or agaric... ..	Picul ...	1·715
,, white	Catty ...	0·250
Galangal	Picul ...	0·170
Gambier... ..	,, ...	0·300
,, false, or cuano (yam-root dye-stuff)... ..	,, ...	0·150
Gamboge	,, ...	2·700
Gasolene or stove naphtha	10 gal. drum.	0·150
Ginseng—		
Crude, 1st quality (value exceeding 2 taels per catty)	Catty ...	0·220
Crude, 2nd quality (value not exceeding 2 taels per catty)	,, ...	0·072
Clarified or cleaned, 1st quality (value exceeding 11 taels per catty)	,, ...	1·100
Clarified or cleaned, 2nd quality (value exceeding 6 taels but not exceeding 11 taels per catty)	,, ...	0·375
Clarified or cleaned, 3rd quality (value exceeding 2 taels but not exceeding 6 taels per catty)	,, ...	0·220

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Ginseng— <i>contd.</i>		
Clarified or cleaned, 4th quality (value not exceeding 2 taels per catty)	Catty ...	0·080
Glass—		
Plate, silvered ...	Square foot ...	0·025
„ unsilvered ...	Value ...	5 per cent.
Powder. <i>See</i> Match-making materials.		
Window, coloured, stained, ground, or obscured ...	Box of 100 sq. ft. ...	0·350
Window, common, not stained, coloured, or otherwise obscured	„	0·170
Glue ...	Picul ...	0·830
Gold thread, imitation. <i>See</i> Thread.		
Ground-nuts ...	„	0·150
Gum—		
Arabic ...	„	1·000
Benjamin ...	„	0·600
„ oil of ...	Value ...	5 per cent.
Dragon's blood ...	Picul ...	4·000
Myrrh ...	„	0·465
Olibanum ...	„	0·450
Resin ...	„	0·187
Gutta-percha. <i>See</i> India-rubber.		
Hair—		
Horse ...	„	1·400
„ tails ...	„	2·500
Hams ...	Value ...	5 per cent.
Handkerchiefs. <i>See</i> Cotton piece-goods.		
Hartall or orpiment ...	Picul ...	0·450
Hemp ...	Value ...	5 per cent.
Hessians or butlaps, all weights ...	1,000 yards ...	2·850
Hide poison or specific ...	Value ...	5 per cent.
Hides, buffalo and cow ...	Picul ...	0·800
Hollow-ware, cast: coated or tinned ...	„	0·500
Hoofs, animal ...	„	0·125
Hops ...	Value ...	5 per cent.
Horns—		
Buffalo and cow ...	Picul ...	0·350
Deer ...	Value ...	5 per cent.
Rhinoceros ...	Catty ...	2·400
Hosiery. <i>See</i> Cotton piece-goods (socks).		
India-rubber and gutta-percha articles (other than boots and shoes)	Value ...	5 per cent.
India-rubber and gutta-percha, crude ...	Picul ...	3·140
„ boots ...	Pair ...	0·080
„ shoes ...	„	0·020
„ old (fit only for re-manufacture)	Picul ...	0·250
Indigo—		
Dried, artificial or natural ...	Value ...	5 per cent.
Liquid, artificial ...	Picul ...	2·025
„ natural ...	„	0·215
Paste, artificial ...	„	2·025
Ink, printing ...	Value ...	5 per cent.
Isinglass (fish glue) ...	Picul ...	4·000
„ vegetable ...	„	1·750

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Jams and jellies—		
1-lb. tins, bottles, or jars	Dozen	0·060
2 " " " "	"	0·118
Joss sticks	Picul	0·640
Kerosene oil cans and cases, empty	2 cans in 1 case	0·005
Lace open-work or insertion-work of cotton, machine made—		
(a.) Not exceeding 1 in. wide, outside measurement	12 dozen yds.	0·050
(b.) Exceeding 1 in. but not exceeding 2 ins. wide, outside measurement	"	0·100
(c.) Exceeding 2 ins. but not exceeding 3 ins. wide, outside measurement	"	0·166
(d.) Exceeding 3 ins. wide, outside measurement	"	0·216
Lace open-work or insertion-work of any fibrous material except silk or cotton or imitation gold or silver thread—		
(a.) Machine made	Catty	0·500
(b.) Hand made (including cotton)	"	2·400
Lacquerware	Value	5 per cent.
Lamps and accessories	"	"
Lampwick	Picul	2·000
Lard, pure or compound	"	0·600
Lead, red, white, yellow, dry or mixed with oil	"	0·450
Leather—		
Belting	Value	5 per cent.
Calf	Picul	7·000
Coloured	"	7·000
Cow	"	2·500
Harness (not including enamelled or pig-skin)	"	3·000
Kid	"	7·000
Sole	"	2·500
Patent	"	7·000
All other kinds	Value	5 per cent.
Lichees, dried	Picul	0·450
Lily flowers, dried	"	0·325
" seed (i.e., lotus-nuts without husks)	"	1·000
Lime, chloride of	"	0·300
Linen	Value	5 per cent.
Liqueurs. See Wines, &c.		
Liquorice	Picul	0·500
Logwood extract	"	0·600
Lotus-nuts (i.e., lily seeds with husks)	"	0·400
Lucraban seed	"	0·350
Lung-ngan pulp	"	0·550
Lung-ngans, dried	"	0·450
Macaroni and vermicelli, and similar pastes	"	0·325
Mace	Value	5 per cent.
Machines, sewing, hand or foot	"	"
Madeira. See Wines, &c. (Vins de liqueur.)		
Malaga. See Wines, &c. (Vins de liqueur.)		

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Tels.
Malt	Picul ...	0·370
Mangrove bark	" ...	0·073
Manure, chemical	Value ...	5 per cent.
Margarine, in tins, jars, or kegs	Picul ...	1·400
Marsala. <i>See</i> Wines, &c. (Vins de liqueur.)		
Matches—		
Rainbow or brilliant	50 gr. boxes	1·500
Wax vestas, not exceeding 100 in a box ...	10 gr. "	1·600
Wood, safety or other, large—boxes not exceeding 2½ ins. by 1½ ins. by ¾ in.	50 gr. "	0·630
Wood, safety or other, small—boxes not exceeding 2 ins. by 1½ ins. by ⅝ in.	100 gr. "	0·920
Wood, safety or other—boxes exceeding above sizes	Value ...	5 per cent.
Match-making materials—		
Glass powder	Picul ...	0·110
Phosphorus	" ...	4·125
Splints	" ...	0·088
Wax, paraffin	" ...	0·500
Wood shavings	" ...	0·113
Mats—		
Coir (door)	Dozen ...	1·000
Formosa, grass (bed)	Each ...	0·050
Rush	Hundred ...	0·500
Straw	" ...	0·225
Tatami	Each ...	0·045
Matting—		
Coir, not exceeding 36 ins. wide ...	Roll of 100 yds.	2·750
Straw, " 36 " ...	Roll of 40 yds.	0·250
Meats, in bulk—		
Beef, corned, pickled, in barrels ...	Picul ...	0·375
Dry salted meat, in boxes and barrels ...	" ...	0·475
" sausages	" ...	0·808
Ham and breakfast bacon, in boxes or barrels	Value ...	5 per cent.
Lard, pure or compound	Picul ...	0·600
Melon seeds	" ...	0·250
Metals—		
Anti-friction	Value ...	5 per cent.
Antimony	Picul ...	0·700
Brass and yellow metal—		
Bars and rods	" ...	1·150
Bolts and nuts and accessories ...	" ...	1·150
Foil	" ...	1·675
Nails	" ...	1·150
Screws	Value ...	5 per cent.
Sheets, plates, and ingots	Picul ...	1·150
Tubes	" ...	1·150
Wire	" ...	1·150
Copper—		
Bars and rods	" ...	1·300
Bolts, nuts, rivets, and washers ...	Value ...	5 per cent.
Ingots	Picul ...	1·175
Nails	" ...	1·300
Sheets and plates	" ...	1·300

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Tael.
Metals—contd.		
Copper—contd.		
Slabs	Picul ...	1·175
Tacks	Value ...	5 per cent.
Tubes	" ...	5 per cent.
Wire	Picul ...	1·300
Dross—		
Iron... ..	" ...	0·160
,, and tin	" ...	0·300
Tin	" ...	0·500
German silver—		
Sheets	" ...	2·200
Wire	" ...	1·500
Iron and mild steel, new—		
Anchors; and parts thereof; mill iron; mill and ships' cranks; and forgings for vessels, steam engines, and loco- motives (weighing each 25 lb. or over)	" ...	0·265
Angles	" ...	0·140
Anvils, and parts of	" ...	0·400
Bar	" ...	0·140
Bolts and nuts	Value ...	5 per cent.
Castings, rough	Picul ...	0·140
Chains, and parts of	" ...	0·265
Cobbles and wire shorts	" ...	0·130
Hoops	" ...	0·140
Kentledge	" ...	0·075
Nail-rod	" ...	0·140
Nails—		
Wire	" ...	0·200
Other kinds	Value ...	5 per cent.
Pig	Picul ...	0·075
Pipes and tubes	Value ...	5 per cent.
Plate cuttings	Picul ...	0·110
Plates and sheets	" ...	0·140
Rails	" ...	0·125
Rivets	" ...	0·250
Screws	Value ...	5 per cent.
Sheets and plates	Picul ...	0·140
Tacks, blue, of all sizes	" ...	0·400
Wire	" ...	0·250
Iron, galvanized—		
Bolts and nuts	Value ...	5 per cent.
Cobbles and wire shorts	Picul ...	0·130
Sheets—		
Corrugated	" ...	0·275
Plain	" ...	0·275
Tubes	Value ...	5 per cent.
Wire	Picul ...	0·250
,, shorts	" ...	0·130
Iron, old and scrap, of any description (fit only for re-manufacture)	" ...	0·090
Lead—		
In pigs	" ...	0·285
In sheets	" ...	0·330
Pipes	" ...	0·375
Nickel, unmanufactured	" ...	2·600

Name of Article.	Tariff Unit and Duty.
Metals—contd.	Per— Hk. Taels.
Quicksilver	Picul ... 4.280
Spelter	" ... 0.375
Steel—	
Bamboo	" ... 0.250
Bars	" ... 0.250
Plates and sheets	" ... 0.250
Tool, and cast	" ... 0.750
Wire and wire rope	" ... 0.750
Steel, mild. <i>See</i> Iron.	
Tin compound	Value ... 5 per cent.
" foil	" ... "
" sheets and pipes	Picul ... 1.725
" slabs	" ... 1.500
" tacks, blue, of all sizes	" ... 0.400
Tinned plates—	
Decorated	" ... 0.350
Plain	" ... 0.290
White metal—	
Sheets	" ... 2.200
Wire	" ... 1.500
Yellow metal. <i>See</i> Brass.	
Zinc boiler plates	" ... 0.600
" powder	" ... 0.400
" sheets, including perforated	" ... 0.520
Milk, condensed, in tins	Case of 4 dozen 0.250
Mineral waters	1-lb. tins 0.050
Mirrors	12 bottles or 24 ½-bottles 5 per cent.
Morphia, in all forms	Value ... 3.000
Moulding	Ounce ... 1.050
Mushrooms	1,000 feet ... 1.800
Musical boxes	Picul ... 5 per cent.
Musk	Value ... 9.000
Mussels, dried	Catty ... 0.400
Needles—	
No. 7/0	Picul ... 1.800
No. 3/0	" ... 1.500
Assorted, not including 7/0	" ... 0.985
Nutgalls	" ... 0.870
Nutmegs	Picul ... 1.500
Oakum	" ... 0.500
Oil—	
Castor, lubricating	" ... 0.510
" medicinal	" ... 1.000
Clove	Catty ... 0.150
Cocoa-nut	Picul ... 0.400
Colza	American gall. 0.050
Engine—	
(a.) Wholly or partly of mineral origin	" ... 6.015
(b.) All other kinds (except castor)	" ... 0.025
Ginger	Picul ... 6.750
Kerosene	Case of 10 American galls. 0.070

Name of Article.	Tariff Unit and Duty.	
Oil— <i>contd.</i>	Per—	Hk. Taels.
Kerosene—		
In bulk	10 American galls.	0·050
In cans and cases, empty	2 cans in 1 case	0·005
Olive	Imperial gall.	0·062
Sandalwood	Catty ...	0·240
Wood	Picul ...	0·500
Olives, fresh, pickled, or salted	„	0·180
Opium	Picul { Duty Li-kin	30·000 80·000
„ husk	Catty ...	0·062
Orange peel	Picul ...	0·800
Oysters, dried	Value ...	5 per cent.
Packing, asbestos. <i>See Asbestos.</i>		
Packing, engine and boiler, all other kinds ...	Value ...	5 per cent.
Paints. <i>See Dyes, Colours, and Paints.</i>		
Paper—		
Cigarette, not exceeding 2 ins. by 4 ins. ...	100,000 leaves	0·125
Printing, calendered ^{and} or sized	Picul ...	0·700
„ uncalendered or unsized	„	0·300
Writing or foolscap	„	1·200
All other kinds*	Value ...	5 per cent.
Peel, orange	Picul ...	0·800
Pepper—		
Black	„	0·700
White	„	1·330
Perfumery	Value ...	5 per cent.
Phosphorus	Picul ...	4·125
Pitch	„	0·125
Plushes and velvets—		
(a.) Plushes and velvets of pure silk ...	Catty ...	0·650
(b.) Silk seal (with cotton back)	„	0·200
(c.) Plushes and velvets of silk mixed with other fibrous materials (with cotton back)	„	0·150
(d.) Plushes, all cotton (including mer- cerised)	„	0·110
(e.) Velvets, cotton. <i>See Cotton piece-</i> <i>goods.</i>		
Pork rind	Picul ...	0·500
Prawns, dried. <i>See also Shrimps</i>	„	1·000
Preserved fruits, in glass bottles, jars, card- board or wooden boxes, including weight of immediate package	„	0·650
Purses, leather (not including silver or gold mounted)	Gross ...	0·500
Putchuck	Picul ...	0·715
Raisins and currants	„	0·500
Rattan chairs	Value ...	5 per cent.
„ core	Picul ...	0·225
„ skin	„	0·750
Rattans—		
Split	„	0·325
Whole	„	0·225

* Glazed printing paper remains at 5 per cent. *ad valorem* by new Tariff between China and France signed March 30, 1904.

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Resin	Picul ...	0·187
Ribbons, silk, silk and cotton, silk and other fibres, with or without imitation gold or silver thread	Catty ...	0·550
Rope	Value ...	5 per cent.
Rose maloes	Picul ...	1·000
Safflower	„ ...	0·525
Saké, in barrels	„ ...	0·400
„ in bottles	12 bottles or 24 $\frac{1}{2}$ -bottles	0·110
Saltpetre and nitrate of soda	Picul ...	0·325
Sand, red	„ ...	0·045
Sandalwood	„ ...	0·400
Sapanwood	„ ...	0·112
Seahorse teeth	Value ...	5 per cent.
Seaweed—		
Cut	Picul ...	0·150
Long	„ ...	0·100
Prepared	„ ...	1·000
Seed—		
Lily (<i>i.e.</i> , lotus-nuts <i>without</i> husks)	„ ...	1·000
Lotus-nuts (<i>i.e.</i> , lily seeds <i>with</i> husks)	„ ...	0·400
Lucraban	„ ...	0·350
Melon	„ ...	0·250
Pine, or fir-nuts	„ ...	0·200
Sesamum	„ ...	0·200
Sharks' fins—		
Black	„ ...	1·608
Clarified or prepared	„ ...	6·000
White	„ ...	4·600
Shellac	„ ...	2·500
Shells—		
Mother-of-pearl	„ ...	0·700
Other kinds	Value ...	5 per cent.
Sherry. <i>See</i> Wines, &c. (Vins de liqueur).		
Shoes and boots, india-rubber, for Chinese—		
Boots	Pair ...	0·080
Shoes	„ ...	0·020
Shrimps, dried. <i>See also</i> Prawns	Picul ...	0·630
Silk piece-goods, all silk (including crape)—		
(a.) Plain	Catty ...	0·325
(b.) Brocaded or otherwise figured	„ ...	0·700
Silk piece-goods, mixtures (<i>i.e.</i> , silk and cotton, or silk and other materials), including crape, but not including mixtures with real or imitation gold or silver thread—		
(a.) Plain	„ ...	0·250
(b.) Brocaded or otherwise figured	„ ...	0·500
Silver thread, imitation. <i>See</i> Thread.		
Sinews—		
Buffalo and cow	Picul ...	0·550
Deer	„ ...	1·050
Singlets or drawers—		
Cotton	Dozen ...	0·125
Mixture	Value ...	5 per cent.

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Skins—		
Fish	Picul	0·600
Sharks	Value	5 per cent.
Smalt	Picul	1·600
Snuff	Value	5 per cent.
Soap, household and laundry (including blue mottled), in bulk, bars, and doublets weighing not less than $\frac{1}{2}$ lb. each	Picul	0·240
Soap, toilet and fancy	Value	5 per cent.
Socks, cotton (including Lisle thread)—		
1st quality (i.e., valued at 1 tael or over per dozen pairs)	Dozen pairs...	0·075
2nd quality (i.e., valued at less than 1 tael per dozen pairs)	,,	0·032
Soda—		
Ash	Picul	0·150
Bicarbonate	,,	0·150
Caustic	,,	0·225
Crystals	,,	0·120
,, concentrated	,,	0·140
Soy	,,	0·250
Spirits. <i>See Wines, &c.</i>		
Spirits of wine. <i>See Wines, &c.</i>		
Sticklac	,,	0·700
Stout. <i>See Wines, &c.</i>		
Sugar—		
Brown, up to No. 10 Dutch standard ...	,,	0·190
Candy	,,	0·300
White, No. 11 Dutch standard and over, including cube and refined	,,	0·240
Sulphur and brimstone—		
Crude	,,	0·150
Refined	,,	0·250
Sulphuric acid	,,	0·187
Sunshades. <i>See Umbrellas.</i>		
Telescopes, binoculars, and mirrors	Value	5 per cent.
Thread, cotton—		
Balls, dyed or undyed	Picul	3·000
Spools, 50 yds.	Gross	0·040
Thread—		
Gold and silver, imitation, on silk ...	Value	5 per cent.
,, ,, real	,,	0·125
,, imitation, on cotton	Catty	0·090
Silver ,, ,,	,,	0·600
Tiles, 6 in. square	Hundred	0·020
Timber—		
Beams, hard-wood	Cubic foot	1·150
,, soft-wood, including Oregon pine and Californian red-wood, on a thickness of 1 in.	1,000 sup. ft.	0·081
Beams, teak-wood	Thousand	0·210
Laths	Value	5 per cent.
Masts and spars, hard-wood	,,	1·150
,, ,, soft-wood	1,000 sup. ft.	1·150
Piles and piling, including Oregon pine and Californian red-wood, on a thickness of 1 in.		

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Timber—contd.		
Planks, hard-wood	Cubic foot	0·020
„ and flooring, soft-wood, including Oregon pine and Californian red-wood, and allowing 10 per cent. of each shipment to be tongued and grooved, on a thickness of 1 in.	1,000 sup. ft.	1·150
Planks and flooring, soft-wood, tongued and grooved, in excess of above 10 per cent.	Value	5 per cent.
Planks, teak-wood	Cubic foot	0·081
Railway sleepers	Value	5 per cent.
Teak-wood lumber, of all lengths and description	Cubic foot	0·081
Tinder	Picul	0·350
Tin-foil	Value	5 per cent.
Tobacco		
Leaf	Picul	0·800
Prepared, in bulk	„	0·950
„ tins or packages under 5 lb. each	Value	5 per cent.
Tools—		
Axes and hatchets	Dozen	0·500
Files, file blanks, rasps and floats, of all kinds—		
Not exceeding 4 ins. long	„	0·040
Exceeding 4 ins. and not exceeding 9 ins. long	„	0·072
Exceeding 9 ins. and not exceeding 14 ins. long	„	0·168
Exceeding 14 ins. long	„	0·224
Tortoiseshell	Catty	0·450
Trimings—		
Bead	Value	5 per cent.
Of cotton, pure or mixed with other materials, but not silk	„	„
Of cotton, mixed with silk and imitation gold or silver thread	„	„
Turmeric	Picul	0·185
Turpentine	Gallon	0·036
Twine	Value	5 per cent.
Ultramarine	Picul	0·500
Umbrella frames	Dozen	0·080
Umbrellas, parasols and sunshades—		
With handles wholly or partly of precious metals, ivory, mother-of-pearl, tortoiseshell, agate, &c., or jewelled	Value	5 per cent.
With all other handles, all cotton	Each	0·020
„ „ „ „ mixtures, not silk	„	0·030
„ „ „ „ silk and silk mixtures	„	0·080
Varnish, crude lacquer, gum lacquer, or oil lacquer	Value	5 per cent.
Vaseline	„	„
Vegetables, dried and salted or pickled, in bulk	„	„

Name of Article.	Tariff Unit and Duty.
	Per— Hk. Taels.
Vermicelli	Picul ... 0·325
Vermilion	" ... 4·000
Vermouth. See Wines, &c.	
Watches, of all kinds	Value ... 5 per cent.
Waters, aerated and mineral	12 bottles or 24 $\frac{1}{2}$ -bottles 0·050
Wax—	
Bees, yellow	Picul ... 1·600
Japan	" ... 0·650
Paraffin	" ... 0·500
Sealing	Value ... 5 per cent.
White... ..	" ... "
Wines, &c.—	
Champagnes and all other sparkling wines, in bottles	Case of 12 bottles or 24 $\frac{1}{2}$ -bottles 0·650
Still wines, red or white, exclusively the produce of the natural fermentation of grapes—	
(a.) Having less than 14 degrees of alcohol—	
(1.) In bottles	Case of 12 bottles or 24 $\frac{1}{2}$ -bottles 0·300
(2.) In bulk	Imperial gal- 0·025
(b.) Having 14 degrees or more of alcohol; also vins de liqueur other than port—	
(1.) In bottles	Case of 12 bottles or 24 $\frac{1}{2}$ -bottles 0·500
(2.) In bulk	Imperial gal- 0·150
Port wine—	
In bottles	Case of 12 bottles or 24 $\frac{1}{2}$ -bottles 0·700
In bulk	Imperial gal- 0·175
Vermouth and byrrh	Case of 12 litres 0·250
Saké—	
In barrels	Picul ... 0·400
In bottles	Case of 12 bottles or 24 $\frac{1}{2}$ -bottles 0·110
Brandies and whiskies, in bulk	Imperial gal- 0·125
Brandy and Cognac, in bottles	Case of 12 reputed quarts 0·500
Whisky, in bottles	" ... 0·350
Other spirits (gin, rum, &c.)—	
In bottles	" ... 0·200
In bulk	Imperial gal- 0·090
	lon

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Wines, &c.—<i>contd.</i>		
Spirits of wine, in packages of any description	Imperial gallon	0·028
Ales, beers, cider, perry—		
In bottles	Case of 12 reputed qts. or 24 reputed pints	0·085
In casks	Imperial gallon	0·020
Porters and stouts—		
In bottles	Case of 12 reputed qts. or 24 reputed pints	0·100
In casks	Imperial gallon	0·025
Liqueurs	Value ...	5 per cent.
Wood—		
Camagon	Picul ...	0·090
Ebony	" ...	0·200
Fragrant	Value ...	5 per cent.
Garoo	Catty ...	0·100
Kranjee	Value ...	5 per cent.
Laka	Picul ...	0·125
Lignum-vitæ	Value ...	5 per cent.
Puru	Picul ...	0·075
Red	" ...	0·200
Rose	" ...	0·200
Sandal	" ...	0·400
Sapan	" ...	0·112
Scented	Value ...	5 per cent.
Shavings, hinoki	Picul ...	1·000
Woollen and cotton mixtures—		
Flannel (woollen and cotton): not exceeding 33 ins. wide	Yard ...	0·015
Italian cloth, plain or figured, having warp entirely cotton and all one colour, and weft entirely wool and all one colour: not exceeding 32 ins. wide and not exceeding 32 yds. long	Piece ...	0·372
Poncho cloth: not exceeding 76 ins. wide	Yard ...	0·030
Spanish stripes (woollen and cotton): not exceeding 64 ins. wide	" ...	0·014
Union cloth: not exceeding 76 ins. wide ...	" ...	0·030
Woollen and cotton mixtures, unclassified, including alpacas, lustres, orleans, sicilians, &c.	Value ...	5 per cent.
Woollen manufactures—		
Blankets and rugs	Pound ...	0·020
Broadcloth: not exceeding 76 ins. wide ...	Yard ...	0·047½
Bunting: not exceeding 24 ins. wide and not exceeding 40 yds. long	Piece ...	0·200
Camlets, Dutch: not exceeding 33 ins. wide and not exceeding 61 yds. long	" ...	1·000
Camlets, English: not exceeding 31 ins. wide and not exceeding 61 yds. long	" ...	0·500
Flannel: not exceeding 33 ins. wide ...	Yard ...	0·015

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Woollen manufactures—<i>contd.</i>		
Habit cloth: not exceeding 76 ins. wide ...	Yard ...	0·047 $\frac{1}{2}$
Lastings, plain, figured or crêped: not exceeding 31 ins. wide and not exceeding 32 yds. long	Piece ...	0·450
Llama braid	Picul ...	5·000
Long ells: not exceeding 31 ins. wide and not exceeding 25 yds. long	Piece ...	0·250
Medium cloth: not exceeding 76 ins. wide	Yard ...	0·047 $\frac{1}{2}$
Russian cloth: not exceeding 76 ins. wide	" ...	0·047 $\frac{1}{2}$
Spanish stripes: not exceeding 64 ins. wide	" ...	0·021
Woollens, unclassified	Value ...	5 per cent.
Woollen and worsted yarns and cords (not including Berlin wool)	Picul ...	5·300
Berlin wool	" ...	4·000
Wooloa or berlinette	" ...	3·500
Worm tablets, in bottles, not exceeding 60 pieces	Dozen ...	0·035
Yarn—		
Asbestos	Picul ...	2·250
Coir	Value ...	5 per cent.
Cotton, bleached or grey	Picul ...	0·950
" dyed	Value ...	5 per cent.
" grey	Picul ...	0·950
" mercerised or gassed	Value ...	5 per cent.
" wooloa or berlinette	Picul ...	3·500
Wool, Berlin	" ...	4·000
Woollen and worsted (not including Berlin wool)	" ...	5·300

NOTE.—If any of the articles enumerated in this Tariff are imported in dimensions exceeding those specified, the Duty is to be calculated in proportion to the measurements as defined.

RULES.

RULE I.

Imports unenumerated in this Tariff will pay Duty at the rate of 5 per cent. *ad valorem*; and the value upon which Duty is to be calculated shall be the market value of the goods in local currency. This market value when converted into Haikwan taels shall be considered to be 12 per cent. higher than the amount upon which Duty is to be calculated.

If the goods have been sold before presentation to the Customs of the application to pay Duty, the gross amount of the *bonâ fide* contract will be accepted as evidence of the market value. Should the goods have been sold on c. f. and i. terms, that is to say, without inclusion in the price of Duty and other charges, such c. f. and i. price shall be taken as the

value for Duty-paying purposes without the deduction mentioned in the preceding paragraph.

If the goods have not been sold before presentation to the Customs of the application to pay Duty, and should a dispute arise between Customs and importer regarding the value or classification of goods, the case will be referred to a Board of Arbitration composed as follows:—

An official of the Customs;

A merchant selected by the Consul of the importer; and

A merchant, differing in nationality from the importer, selected by the Senior Consul.

Questions regarding procedure, &c., which may arise during the sittings of the Board shall be decided by the majority. The final finding of the majority of the Board, which must be announced within 15 days of the reference (not including holidays), will be binding upon both parties. Each of the two merchants on the Board will be entitled to a fee of ten Haikwan taels. Should the Board sustain the Customs valuation, or, in the event of not sustaining that valuation, should it decide that the goods have been undervalued by the importer to the extent of not less than $7\frac{1}{2}$ per cent., the importer will pay the fees; if otherwise, the fees will be paid by the Customs. Should the Board decide that the correct value of the goods is 20 per cent. (or more) higher than that upon which the importer originally claimed to pay Duty, the Customs authorities may retain possession of the goods until full Duty has been paid, and may levy an additional Duty equal to four times the Duty sought to be evaded.

In all cases invoices, when available, must be produced if required by the Customs.

RULE II.

The following will not be liable to Import Duty: Foreign rice, cereals, and flour; gold and silver, both bullion and coin; printed books, charts, maps, periodicals, and newspapers.

A freight or part freight of Duty-free commodities (gold and silver bullion and foreign coins excepted) will render the vessel carrying them, though no other cargo be on board, liable to tonnage dues.

Drawbacks will be issued for ships' stores and bunker coal when taken on board.

RULE III.

Except at the requisition of the Chinese Government, or for sale to Chinese duly authorized to purchase them, import trade is prohibited in all arms, ammunition, and munitions of war of every description. No permit to land them will be issued until the Customs have proof that the necessary authority has been given to the importer. Infraction of this rule will be punish-

which the Chinese Government agreed to negotiate the amendments deemed useful by the foreign Governments to the Treaties of Commerce and Navigation and other subjects concerning commercial relations with the object of facilitating them, have for that purpose named as their Plenipotentiaries, that is to say :

His Majesty the King of Great Britain and Ireland, His Majesty's Special Commissioner, Sir James Lyle Mackay, Knight Commander of the Most Eminent Order of the Indian Empire, a member of the Council of the Secretary of State for India, &c. ;

And His Majesty the Emperor of China, the Imperial Commissioners Lü Hai-huan, President of the Board of Public Works, &c., and Shêng Hsüan-huai, Junior Guardian of the Heir-Apparent, Senior Vice-President of the Board of Public Works, &c. ;

Who having communicated to each other their respective full powers, and found them to be in good and due form have agreed upon and concluded the following Articles :—

ARTICLE I.

Drawback Certificates.

Delay having occurred in the past in the issue of Drawback Certificates owing to the fact that those documents have to be dealt with by the Superintendent of Customs at a distance from the Customs Office, it is now agreed that Drawback Certificates shall hereafter in all cases be issued by the Imperial Maritime Customs within three weeks of the presentation to the Customs of the papers entitling the applicant to receive such Drawback Certificates.

These Certificates shall be valid tender to the Customs authorities in payment of any duty upon goods imported or exported (transit dues excepted), or shall, in the case of drawbacks on foreign goods re-exported abroad within three years from the date of importation, be payable in cash without deduction by the Customs Bank at the place where the import duty was paid.

But if, in connection with any application for a Drawback Certificate, the Customs authorities discover an attempt to defraud the revenue, the applicant shall be liable to a fine not exceeding five times the amount of the duty whereof he attempted to defraud the Customs, or to a confiscation of the goods.

ARTICLE II.*

Uniform Chinese Coinage.

China agrees to take the necessary steps to provide for a uniform national coinage which shall be legal tender in pay-

* See Annex A, p. 185.

ment of all duties, taxes and other obligations throughout the Empire by British as well as Chinese subjects.

ARTICLE III.

Duties and Li-kin on Goods carried by Junks from Hong Kong to Treaty Ports in Canton Province.

China agrees that the duties and *li-kin* combined levied on goods carried by junks from Hong Kong to the Treaty ports in the Canton Province and *vice versa*, shall together not be less than the duties charged by the Imperial Maritime Customs on similar goods carried by steamer.

ARTICLE IV.

Joint Stock Companies, &c.—National Treatment.

Whereas questions have arisen in the past concerning the right of Chinese subjects to invest money in non-Chinese enterprises and companies, and whereas it is a matter of common knowledge that large sums of Chinese capital are so invested, China hereby agrees to recognise the legality of all such investments past, present and future.

It being, moreover, of the utmost importance that all shareholders in a Joint Stock Company should stand on a footing of perfect equality as far as mutual obligations are concerned, China further agrees that Chinese subjects who have or may become shareholders in any British Joint Stock Company shall be held to have accepted, by the very act of becoming shareholders, the Charter of Incorporation or Memorandum and Articles of Association of such Company and regulations framed thereunder as interpreted by British Courts, and that Chinese Courts shall enforce compliance therewith by such Chinese shareholders, if a suit to that effect be entered, provided always that their liability shall not be other or greater than that of British shareholders in the same Company.

Similarly the British Government agree that British subjects investing in Chinese Companies shall be under the same obligations as the Chinese shareholders in such Companies.

The foregoing shall not apply to cases which have already been before the Courts and been dismissed.

ARTICLE V.

Navigation of Canton and Upper Yang-tsze Rivers.

The Chinese Government undertake to remove within the next two years the artificial obstructions to navigation in the

Canton River. The Chinese Government also agree to improve the accommodation for shipping in the harbour of Canton and to take the necessary steps to maintain that improvement, such work to be carried out by the Imperial Maritime Customs and the cost thereof to be defrayed by a tax on goods landed and shipped by British and Chinese alike according to a scale to be arranged between the merchants and Customs.

The Chinese Government are aware of the desirability of improving the navigability by steamer of the waterway between Ichang and Chungking, but are also fully aware that such improvement might involve heavy expense and would affect the interests of the population of the Provinces of Szechuan, Hunan, and Hupeh. It is, therefore, mutually agreed that until improvements can be carried out steam-ship owners shall be allowed, subject to approval by the Imperial Maritime Customs, to erect, at their own expense, appliances for hauling through the rapids. Such appliances shall be at the disposal of all vessels, both steamers and junks, subject to regulations to be drawn up by the Imperial Maritime Customs. These appliances shall not obstruct the waterway or interfere with the free passage of junks. Signal stations and channel marks where and when necessary shall be erected by the Imperial Maritime Customs. Should any practical scheme be presented for improving the waterway and assisting navigation without injury to the local population or cost to the Chinese Government, it shall be considered by the latter in a friendly spirit.

ARTICLE VI.

Facilities for bonding and repacking Merchandize in Bond at Open Ports.

The Chinese Government agree to make arrangements to give increased facilities at the open ports for bonding and for repacking merchandize in bond, and, on official representation being made by the British authorities, to grant the privileges of a bonded warehouse to any warehouse which it is established to the satisfaction of the Customs authorities affords the necessary security to the revenue.

Such warehouses will be subject to regulations, including a scale of fees according to commodities, distance from custom-house and hours of working, to be drawn up by the Customs authorities who will meet the convenience of merchants so far as is compatible with the protection of revenue.

ARTICLE VII.

Protection and Registration of British Trade-marks in China.

Inasmuch as the British Government afford protection to Chinese trade-marks against infringement, imitation, or colourable imitation by British subjects, the Chinese Government

undertake to afford protection to British trade-marks against infringement, imitation, or colourable imitation by Chinese subjects.

The Chinese Government further undertake that the Superintendents of Northern and of Southern Trade shall establish offices within their respective jurisdictions under control of the Imperial Maritime Customs where foreign trade-marks may be registered on payment of a reasonable fee.

ARTICLE VIII.*

PREAMBLE.

Internal Duties on Trade (Li-kin, &c.).—Opening of Ports of Changsha, Wankhsien, Nganching, Wai-chow (Hui-chow), and Kongmoon (Chiang-mén) to Trade.

The Chinese Government, recognizing that the system of levying *li-kin* and other dues on goods at the place of production, in transit, and at destination, impedes the free circulation of commodities and injures the interests of trade, hereby undertake to discard completely those means of raising revenue with the limitation mentioned in section 8.

The British Government, in return, consent to allow a surtax, in excess of the Tariff rates for the time being in force to be imposed on foreign goods imported by British subjects and a surtax in addition to the export duty on Chinese produce destined for export abroad or coastwise.

It is clearly understood that, after *li-kin* barriers and other stations for taxing goods in transit have been removed, no attempt shall be made to revive them in any form or under any pretext whatsoever; that in no case shall the surtax on foreign imports exceed the equivalent of one-and-a-half times the import duty leviable in terms of the Final Protocol signed by China and the Powers on the 7th day of September, 1901; that payment of the import duty and surtax shall secure for foreign imports, whether in the hands of Chinese or non-Chinese subjects, in original packages or otherwise, complete immunity from all other taxation, examination or delay; that the total amount of taxation leviable on native produce for export abroad shall, under no circumstances, exceed $7\frac{1}{2}$ per cent. *ad valorem*.

Keeping these fundamental principles steadily in view, the High Contracting Parties have agreed upon the following methods of procedure:—

Section 1.—The Chinese Government undertake that all barriers of whatsoever kind, collecting *li-kin* or such like dues or duties, shall be permanently abolished on all roads, railways, and waterways in the Eighteen Provinces of China and the Three Eastern Provinces. This provision does not apply to

* Article VIII does not come into force until other Powers have signified their acceptance of the engagements set forth therein with regard to the payment of surtaxes, &c. (see sections 14 and 15).

the Native Custom-Houses at present in existence on the seaboard or waterways, at open ports, on land routes, and on land frontiers of China.

Sec. 2.—The British Government agree that foreign goods on importation, in addition to the effective 5 per cent. import duty as provided for in the Protocol of 1901,* shall pay a special surtax equivalent to one-and-a-half times the said duty to compensate for the abolition of *li-kin*, of transit dues in lieu of *li-kin*, and of all other taxation on foreign goods, and in consideration of the other reforms provided for in this Article; but this provision shall not impair the right of China to tax salt, native opium, and native produce as provided for in sections 3, 5, 6, and 8.

The same amount of surtax shall be levied on goods imported into the Eighteen Provinces of China and the Three Eastern Provinces across the land frontiers as on goods entering China by sea.

Sec. 3.—All Native Custom-Houses now existing, whether at the Open Ports, on the seaboard, on rivers, inland waterways, land routes or land frontiers, as enumerated in the *Hu Pu and Kung Pu Tse Li* (Regulations of the Boards of Revenue and Works) and *Ta Ch'ing Hui Tien* (Dynastic Institutes) may remain; a list of the same, with their location, shall be furnished to the British Government for purposes of record.

Wherever there are Imperial Maritime Custom-Houses, or wherever such may be hereafter placed, Native Custom-Houses may be also established; as well as at any points either on the seaboard or land frontiers.

The location of Native Custom-Houses in the Interior may be changed as the circumstances of trade seem to require, but any change must be communicated to the British Government, so that the list may be corrected; the originally stated number of them shall not, however, be exceeded.

Goods carried by junks or sailing-vessels trading to or from Open Ports shall not pay lower duties than the combined duties and surtax on similar cargo carried by steamers.

Native produce, when transported from one place to another in the Interior, shall, on arrival at the first Native Custom-House after leaving the place of production, pay duty equivalent to the export surtax mentioned in Section 7.

When this duty has been paid, a certificate shall be given which shall describe the nature of the goods, weight, number of packages, &c., amount of duty paid, and intended destination. This certificate, which shall be valid for a fixed period of not less than one year from the date of payment of duty,

* In Article VI (e) 1 this duty is included amongst the revenues assigned to the payment of the Indemnity.—Parliamentary Paper, Treaty Series No. 17 (1902), [Cd. 1390]. See also Annex B, pp. 186-7.

shall free the goods from all taxation, examination, delay, or stoppage at any other Native Custom-Houses passed *en route*.

If the goods are taken to a place not in the foreign settlements or concessions of an Open Port, for local use, they become there liable to the Consumption Tax described in Section 8.

If the goods are shipped from an Open Port, the certificate is to be accepted by the Custom-House concerned, in lieu of the export surtax mentioned in Section 7.

Junks, boats, or carts shall not be subjected to any taxation beyond a small and reasonable charge, paid periodically at a fixed annual rate. This does not exclude the right to levy, as at present, tonnage (Chuan Chao) and port dues (Chuan Liao) on junks.

Sec. 4.—Foreign opium duty and present *li-kin*—which latter will now become a surtax in lieu of *li-kin*—shall remain as provided for by existing Treaties.

Sec. 5.—The British Government have no intention whatever of interfering with China's right to tax native opium, but it is essential to declare that, in her arrangements for levying such taxation, China will not subject other goods to taxation, delay, or stoppage.

China is free to retain at important points on the borders of each province—either on land or water—offices for collecting duty on native opium, where duties or contributions leviable shall be paid in one lump sum; which payment shall cover taxation of all kinds within that province. Each cake of opium will have a stamp affixed as evidence of duty payment. Excise officers and police may be employed in connection with these offices: but no barriers or other obstructions are to be erected, and the Excise offices or police of these offices shall not stop or molest any other kinds of goods, or collect taxes thereon.

A list of these offices shall be drawn up and communicated to the British Government for record.

Sec. 6.—*Li-kin* on salt is hereby abolished, and the amount of said *li-kin* and of other taxes and contributions shall be added to the salt duty, which shall be collected at place of production or at first station after entering the province where it is to be consumed.

The Chinese Government shall be at liberty to establish salt reporting offices at which boats conveying salt which is being moved under salt passes or certificates may be required to stop for purposes of examination and to have their certificates *visé*; but at such offices no *li-kin* or transit taxation shall be levied, and no barriers or obstructions of any kind shall be erected.

Sec. 7.—The Chinese Government may recast the Export

Tariff with specific duties as far as practicable, on a scale not exceeding 5 per cent. *ad valorem*; but existing export duties shall not be raised until at least six months' notice has been given.

In cases where existing export duties are above 5 per cent. they shall be reduced to not more than that rate.

An additional special surtax of one half the export duty payable for the time being, in lieu of internal taxation and *li-kin*, may be levied at time of export on goods exported either to foreign countries or coastwise.

In the case of silk, whether hand or filature reeled, the total export duty shall not exceed a specific rate equivalent to not more than 5 per cent. *ad valorem*. Half of this specific duty may be levied at the first Native Custom-House in the interior which the silk may pass, and in such case a certificate shall be given as provided for in Section 3, and will be accepted by the Custom-House concerned at place of export in lieu of half the export duty. Cocoons passing Native Custom-Houses shall be liable to no taxation whatever. Silk not exported but consumed in China is liable to the Consumption Tax mentioned, and under conditions mentioned, in Section 8.

Sec. 8.—The abolition of the *li-kin* system in China and the abandonment of all other kinds of internal taxation on foreign imports and on exports will diminish the revenue materially. The surtax on foreign imports and exports and on coastwise exports is intended to compensate in a measure for this loss of revenue, but there remains the loss of *li-kin* revenue on internal trade to be met, and it is therefore agreed that the Chinese Government are at liberty to impose a Consumption Tax on articles of Chinese origin not intended for export.

This tax shall be levied only at places of consumption and not on goods while in transit, and the Chinese Government solemnly undertake that the arrangements which they may make for its collection shall in no way interfere with foreign goods or with native goods for export. The fact of goods being of foreign origin shall of itself free them from all taxation, delay, or stoppage, after having passed the Custom-House.

Foreign goods which bear a similarity to native goods shall be furnished by the Custom-House, if required by the owner, with a protective certificate for each package, on payment of import duty and surtax, to prevent the risk of any dispute in the interior.

Native goods brought by junks to Open Ports, if intended for local consumption—irrespective of the nationality of the owner of the goods—shall be reported at the Native Custom-House only, where the Consumption Tax may be levied.

China is at liberty to fix the amount of this (Consumption)

tax, which may vary according to the nature of the merchandize concerned, that is to say, according as the articles are necessities of life or luxuries; but it shall be levied at a uniform rate on goods of the same description, no matter whether carried by junk, sailing-vessel, or steamer. As mentioned in Section 3, the Consumption Tax is not to be levied within foreign settlements or concessions.

Sec. 9.—An excise equivalent to double the import duty as laid down in the Protocol of 1901 is to be charged on all machine-made yarn and cloth manufactured in China, whether by foreigners at the Open Ports or by Chinese anywhere in China.

A rebate of the import duty and two-thirds of the Import Surtax is to be given on raw cotton imported from foreign countries, and of all duties, including Consumption Tax, paid on Chinese raw cotton used in mills in China.

Chinese machine-made yarn or cloth having paid excise is to be free of Export Duty, Export Surtax, Coast-Trade Duty, and Consumption Tax. This Excise is to be collected through the Imperial Maritime Customs.

The same principle and procedure are to be applied to all other products of foreign type turned out by machinery, whether by foreigners at the Open Ports or by Chinese anywhere in China.

This stipulation is not to apply to the out-turn of the Hanyang and Ta Yeh Iron Works in Hupeh and other similar existing Government works at present exempt from taxation; or to that of Arsenals, Government Dockyards, or establishments of that nature for Government purposes which may hereafter be erected.

Sec. 10.—A member or members of the Imperial Maritime Customs Foreign Staff shall be selected by each of the Governors-General and Governors, and appointed in consultation with the Inspector-General of Imperial Maritime Customs to each province for duty in connection with Native Customs Affairs, Consumption Tax, Salt and Native Opium Taxes. These officers shall exercise an efficient supervision of the working of these departments, and in the event of their reporting any case of abuse, illegal exaction, obstruction to the movement of goods, or other cause of complaint, the Governor-General or Governor concerned will take immediate steps to put an end to same.

Sec. 11.—Cases where illegal action as described in this Article is complained of shall be promptly investigated by an officer of the Chinese Government of sufficiently high rank, in conjunction with a British officer and an officer of the Imperial Maritime Customs, each of sufficient standing; and in the event of its being found by a majority of the investigating officers that the complaint is well founded and loss has been incurred,

due compensation is to be at once paid from the Surtax funds, through the Imperial Maritime Customs at the nearest open port. The High Provincial Officials are to be held responsible that the officer guilty of the illegal action shall be severely punished and removed from his post.

If the complaint turns out to be without foundation complainant shall be held responsible for the expenses of the investigation.

His Britannic Majesty's Minister will have the right to demand investigation where from the evidence before him he is satisfied that illegal exactions or obstructions have occurred.

Sec. 12.—The Chinese Government agree to open to foreign trade, on the same footing as the places opened to foreign trade by the Treaties of Nanking and Tien-tsin, the following places namely :—

Ch'angsha in Hunan ;
Wanhsien in Szechuan ;
Nganking in Anhui ;
Waichow (Hui-chow) in Kuangtung ; and
Kongmoon (Chiang-mên) in Kuangtung.

Foreigners residing in these Open Ports are to observe the Municipal and Police Regulations on the same footing as Chinese residents, and they are not to be entitled to establish Municipalities and Police of their own within the limits of these Treaty ports except with the consent of the Chinese authorities.

If this Article does not come into operation the right to demand under it the opening of these ports, with the exception of Kongmoon, which is provided for in Article X, shall lapse.

Sec. 13.—Subject to the provisions of Section 14, the arrangements provided for in this Article are to come into force on the 1st January, 1904.

By that date all *li-kin* barriers should be removed and officials employed in the collection of taxes and dues prohibited by this Article shall be removed from their posts.

Sec. 14.—The condition on which the Chinese Government enter into the present engagement is that all Powers entitled to most-favoured-nation treatment in China enter into the same engagements as Great Britain with regard to the payment of surtaxes and other obligations imposed by this Article on His Britannic Majesty's Government and subjects.

The conditions on which His Britannic Majesty's Government enter into the present engagement are—

(1.) That all Powers who are now or who may hereafter become entitled to most-favoured-nation treatment in China enter into the same engagements ;

(2.) And that their assent is neither directly nor indirectly made dependent on the granting by China of any political concession, or of any exclusive commercial concession.

Sec. 15.—Should the Powers entitled to most-favoured-nation treatment by China have failed to agree to enter into the engagements undertaken by Great Britain under this Article by the 1st January, 1904, then the provisions of the Article shall only come into force when all the Powers have signified their acceptance of these engagements.

Sec. 16.—When the abolition of *li-kin* and other forms of internal taxation on goods as provided for in this Article has been decided upon and sanctioned, an Imperial Edict shall be published in due form on yellow paper and circulated, setting forth the abolition of all *li-kin* taxation, *li-kin* barriers and all descriptions of internal taxation on goods, except as provided for in this Article.

The Edict shall state that the Provincial High Officials are responsible that any official disregarding the letter or spirit of its injunction shall be severely punished and removed from his post.

ARTICLE IX.

Mining Regulations.—Encouragement of Mining Enterprises in China.

The Chinese Government, recognizing that it is advantageous for the country to develop its mineral resources, and that it is desirable to attract foreign as well as Chinese capital to embark in mining enterprises, agree within one year from the signing of this Treaty to initiate and conclude the revision of the existing Mining Regulations. China will, with all expedition and earnestness, go into the whole question of Mining Rules and, selecting from the Rules of Great Britain, India, and other countries, regulations which seem applicable to the condition of China, she will recast her present Mining Rules in such a way as, while promoting the interests of Chinese subjects and not injuring in any way the sovereign rights of China, shall offer no impediment to the attraction of foreign capital or place foreign capitalists at a greater disadvantage than they would be under generally accepted foreign Regulations.

Any Mining Concession granted after the publication of these new Rules shall be subject to their provisions.

ARTICLE X.

Navigation of Inland Waters of China.—Opening of Kongmoon to Trade and of Ports of Call on the West River.

Whereas in the year 1898 the Inland Waters of China were opened to all such steam-vessels, native or foreign, as might be especially registered for that trade at the Treaty ports; and whereas the Regulations dated the 28th July, 1898, and Supplementary Rules dated September, 1898, have been found in some respects inconvenient in working, it is now

mutually agreed to amend them and to annex such new Rules* to this Treaty. These Rules shall remain in force until altered by mutual consent.

It is further agreed that Kongmoon shall be opened as a Treaty port, and that, in addition to the places named in the special Article of the Burmah Convention of the 4th February, 1897,† British steamers shall be allowed to land or ship cargo and passengers, under the same regulations as apply to the "Ports of Call" on the Yang-tsze River, at the following "Ports of Call": Pak Tau Hau (Pai-t'u k'ou), Lo Ting Hau (Lo-ting k'ou), and Do Sing (Tou-ch'êng); and to land or discharge passengers at the following ten passenger landing stages on the West River:—Yung Ki (Jung-chi), Mah Ning (Ma-ning), Kau Kong (Chiu-chiang), Kulow (Ku-lao), Wing On (Yung-an), How Lik (Hou-li), Luk Pu (Lu-pu), Yuet Sing (Yüeh-ch'êng), Luk To (Lu-tu), and Fung Chuen (Fêng-ch'uan).

ARTICLE XI.

Importation of Morphia into China.

His Britannic Majesty's Government agree to the prohibition of the general importation of morphia into China, on condition, however, that the Chinese Government will allow of its importation, on payment of the Tariff import duty and under special permit, by duly qualified British medical practitioners and for the use of hospitals, or by British chemists and druggists who shall only be permitted to sell it in small quantities and on receipt of a requisition signed by a duly qualified foreign medical practitioner.

The special permits above referred to will be granted to an intending importer on his signing a bond before a British Consul guaranteeing the fulfilment of these conditions. Should an importer be found guilty before a British Consul of a breach of his bond, he will not be entitled to take out another permit. Any British subject importing morphia without a permit shall be liable to have such morphia confiscated.

This Article will come into operation on all other Treaty Powers agreeing to its conditions, but any morphia actually shipped before that date will not be affected by this prohibition.

The Chinese Government, on their side, undertake to adopt measures at once, to prevent the manufacture of morphia in China.

ARTICLE XII.

Reformation of Judicial System of China.—Abandonment of British Extra-territorial Rights.

China having expressed a strong desire to reform her judicial system and to bring it into accord with that of Western nations, Great Britain agrees to give every assistance

* See p. 188.

† See p. 130.

to such reform, and she will also be prepared to relinquish her extra-territorial rights when she is satisfied that the state of the Chinese laws, the arrangement for their administration, and other considerations warrant her in so doing.

ARTICLE XIII.

Missionary Question.

The missionary question in China being, in the opinion of the Chinese Government, one requiring careful consideration, so that, if possible, troubles such as have occurred in the past may be averted in the future, Great Britain agrees to join in a Commission to investigate this question, and if possible, to devise means for securing permanent peace between converts and non-converts, should such a Commission be formed by China and the Treaty Powers interested.

ARTICLE XIV.

China may prohibit Export of Rice or Grain in cases of Famine.

Whereas under Rule V appended to the Treaty of Tien-tsin of 1858, British merchants are permitted to export rice and all other grain from one port of China to another under the same conditions in respect of security as copper "cash," it is now agreed that in cases of expected scarcity or famine from whatsoever cause in any district, the Chinese Government shall, on giving twenty-one days' notice, be at liberty to prohibit the shipment of rice and other grain from such district.

Should any vessel specially chartered to load rice or grain previously contracted for, have arrived at her loading port prior to or on the day when a notice of prohibition to export comes into force she shall be allowed an extra week in which to ship her cargo.

If, during the existence of this prohibition, any shipment of rice or grain is allowed by the authorities, the prohibition shall, *ipso facto*, be considered cancelled and shall not be reimposed until six weeks' notice has been given.

When a prohibition is notified, it will be stated whether the Government have any Tribute or Army Rice which they intend to ship during the time of prohibition, and if so, the quantity shall be named.

Such rice shall not be included in the prohibition, and the Customs shall keep a record of any Tribute or Army Rice so shipped or landed.

The Chinese Government undertake that no rice, other than Tribute or Army Rice belonging to the Government, shall be shipped during the period of prohibition.

Notifications of prohibitions, and of the quantities of Army

or Tribute Rice for shipment shall be made by the Governors of the provinces concerned.

Similarly notifications of the removals of prohibitions shall be made by the same authorities.

The export of rice and other grain to foreign countries remains prohibited.

ARTICLE XV.

Revision of Tariff after Ten Years.—Most-favoured-nation Treatment.—Continuance of Treaties.

It is agreed that either of the High Contracting Parties to this Treaty may demand a revision of the Tariff at the end of ten years; but if no demand be made on either side within six months after the end of the first ten years, then the Tariff shall remain in force for ten years more, reckoned from the end of the preceding ten years; and so it shall be at the end of each successive ten years.

Any Tariff concession which China may hereafter accord to articles of the produce or manufacture of any other State shall immediately be extended to similar articles of the produce or manufacture of His Britannic Majesty's dominions by whomsoever imported.

Treaties already existing between the United Kingdom and China shall continue in force in so far as they are not abrogated or modified by stipulations of the present Treaty.

ARTICLE XVI.

Ratifications.

The English and Chinese texts of the present Treaty have been carefully compared, but in the event of there being any difference of meaning between them, the sense as expressed in the English text shall be held to be the correct sense.

The ratifications of this Treaty, under the hand of his Majesty the King of Great Britain and Ireland, and of His Majesty the Emperor of China, respectively, shall be exchanged at Peking within a year from this day of signature.

In token whereof the respective Plenipotentiaries have signed and sealed this Treaty, two copies in English and two in Chinese.

Done at Shanghai, this 5th day of September, in the year of our Lord 1902; corresponding with the Chinese date, the 4th day of the 8th moon of the 28th year of Kwang Hsü.

(L.S.) JAS. L. MACKAY.

(Signature of his Excellency Lü Hai-huan.)

(Signature of his Excellency Shêng Hsüan-huai.)

(Seal of the Chinese Plenipotentiaries.)

Annex A (1).

(Translation.)

Lü, President of the Board of Works ;
Shêng, Junior Guardian of the Heir-Apparent, Vice-President
of the Board of Works ;

Imperial Chinese Commissioners, for dealing with
questions connected with the Commercial Treaties, to—

Sir James Mackay, His Britannic Majesty's Special Commissioner for the discussion of Treaty matters.

*Shanghai: K. H. xxviii, 7th moon, 11th day (received
August 15, 1902).*

We have the honour to inform you that we have received the following telegram from his Excellency Liu, Governor-General of the Liang Chiang, on the subject of clause 2,* mutually agreed upon by us:

"As regards this clause, it is necessary to insert therein a clear stipulation, to the effect that, no matter what changes may take place in the future, all custom duties must continue to be calculated on the basis of the existing higher rate of the Haikwan tael over the Treasury tael, and that the 'touch' and weight of the former must be made good."

As we already arranged with you that a declaration of this kind should be embodied in an official Note, and form an Annex to the present Treaty, for purposes of record, we hereby do ourselves the honour to make this communication.

(Seal of the Imperial Commissioners for dealing
with questions connected with Treaty
Revision.)

Annex A (2).

Gentlemen,

Shanghai, August 18, 1902.

I have the honour to acknowledge the receipt of your despatch of the 14th instant forwarding copy of a telegram from His Excellency Liu, Governor-General of the Liang Chiang, on the subject of Article II* of the new Treaty, and in reply I have the honour to state that his Excellency's understanding of the Article is perfectly correct.

I presume the Chinese Government will make arrangements for the coinage of a national silver coin of such weight and touch as may be decided upon by them. These coins will be made available to the public in return for a quantity of silver bullion of equivalent weight and fineness plus the usual mintage charge.

* See p. 172.

The coins which will become the national coinage of China will be declared by the Chinese Government to be legal tender in payment of customs duty and in discharge of obligations contracted in Haikwan taels, but only at their proportionate value to the Haikwan tael, whatever that may be.

I have, &c.,

(Signed) JAS. L. MACKAY.

Their Excellencies

Lü Hai-huan and Shêng Hsüan-huai,

&c. &c. &c.

Annex B (1).

(Translation.)

Lü, President of the Board of Works;

Shêng, Junior Guardian of the Heir-Apparent, Vice-President of the Board of Works;

Imperial Chinese Commissioners for dealing with questions connected with the Commercial Treaties, to

Sir James L. Mackay, His Britannic Majesty's Special Commissioner.

Shanghai, September 2, 1902.

We have the honour to inform you that on the 22nd August, we, in conjunction with the Governors-General of the Liang Chiang and the Hu-kuang Provinces, their Excellencies Liu and Chang, addressed the following telegraphic Memorial to the Throne:—

“Of the revenue of the different Provinces derived from *li-kin* of all kinds, a portion is appropriated for the service of the foreign loans, a portion for the Peking Government, and the balance is reserved for the local expenditure of the Provinces concerned.

“In the negotiations now being conducted with Great Britain for the amendment of the Commercial Treaties, a mutual arrangement has been come to providing for the imposition of additional taxes, in compensation for the abolition of all kinds of *li-kin* and other imposts on goods, prohibited by Article VIII.* After payment of interest and sinking fund on the existing foreign loan, to the extent to which *li-kin* is thereto pledged, these additional taxes shall be allocated to the various Provinces to make up deficiencies and replace revenue, in order that no hardships may be entailed on them. With a view to preserving the original intention underlying the proposal to increase the duties in compensation for the loss of revenue derived from *li-kin* and other imposts on goods, it is further stipulated that the surtaxes shall not be appropriated for other purposes, shall not form part of the Imperial Maritime Customs revenue proper,

* See p. 175.

and shall in no case be pledged as security for any new foreign loan.

"It is therefore necessary to memorialize for the issue of an Edict, giving effect to the above stipulations and directing the Board of Revenue to find out what proportion of the provincial revenues derived from *li-kin* of all kinds, now about to be abolished, each Province has hitherto had to remit, and what proportion it has been entitled to retain, so that, when the Article comes into operation, due apportionment may be made accordingly, thus providing the Provinces with funds available for local expenditure, and displaying equitable and just treatment towards all."

On the 1st instant an Imperial Decree "Let action, as requested, be taken" was issued, and we do now ourselves the honour reverently to transcribe the same for your information.

(Seal of the Imperial Commissioners for
dealing with questions connected
with Treaty Revision.)

Annex B (2).

Gentlemen,

Shanghai, September 5, 1902.

I have the honour to acknowledge the receipt of your despatch of the 2nd instant forwarding the text of the Memorial and Decree dealing with the disposal of the surtaxes.

I understand that the surtaxes in addition to not being pledged for any new foreign loan are not to be pledged to, or held to be security for, liabilities already contracted by China except in so far as *li-kin* revenue has already been pledged to an existing loan.

I also understand from the Memorial that the whole of the surtaxes provided by Article VIII* of the New Treaty goes to the Provinces in proportions to be agreed upon between them and the Board of Revenue, but that out of these surtaxes each Province is obliged to remit to Peking the same contributions as that which it has hitherto remitted out of its *li-kin* collections, and that the Provinces also provide as hitherto out of these surtax funds whatever may be necessary for the service of the foreign loan to which *li-kin* is partly pledged.

I hope your Excellencies will send me a reply to this despatch, and that you will agree to this correspondence forming part of the Treaty as an Annex.

I have, &c.

(Signed) JAS. L. MACKAY.

Their Excellencies

Lü Hai-huan and Shêng Hsüan-huai,

&c. &c. &c.

* See pp. 175-181.

Annex B (3).

(Translation.)

Lü, President of the Board of Works;
Shêng, Junior Guardian of the Heir-Apparent, Vice-President
of the Board of Works;

Imperial Chinese Commissioners for dealing with
questions connected with the Commercial Treaties, to

Sir James L. Mackay, His Britannic Majesty's Special Com-
missioner.

Shanghai, September 5, 1902.

We have the honour to acknowledge the receipt of your communication of to-day's date with regard to the allocation of the surtax funds allotted to the Provinces, and to inform you that the views therein expressed are the same as our own.

We would, however, wish to point out that, were the whole amount of the allocation due paid over to the Provinces, unnecessary expense would be incurred in the retransmission by them of such portions thereof as would have to be remitted to Peking in place of the contributions hitherto payable out of *li-kin* revenue. The amount, therefore, of the allocation due to the Provinces, arranged between them and the Board of Revenue, will be retained in the hands of the Maritime Customs, who will await the instructions of the Provinces in regard to the remittance of such portion thereof as may be necessary to fulfil their obligations, and (on receipt of these instructions) will send forward the amount direct. The balance will be held to the order of the Provinces.

In so far as *li-kin* is pledged to the service of the 1898 Loan, a similar method of procedure will be adopted.

As you request that this correspondence be annexed to the Treaty, we have the honour to state that we see no objection to this being done.

(Seal of the Imperial Commissioners for dealing with
questions connected with Treaty Revision.)

Annex C.*

INLAND WATERS STEAM NAVIGATION.

Additional Rules.

1. British steam-ship owners are at liberty to lease warehouses and jetties on the banks of waterways from Chinese subjects for a term not exceeding twenty-five years, with option of renewal on terms to be mutually arranged. In cases

* See p. 181.

where British merchants are unable to secure warehouses and jetties from Chinese subjects on satisfactory terms, the local officials, after consultation with the Minister of Commerce, shall arrange to provide these on renewable lease as above mentioned at current equitable rates.

2. Jetties shall only be erected in such positions that they will not obstruct the inland waterway or interfere with navigation, and with the sanction of the nearest Commissioner of Customs; such sanction, however, shall not be arbitrarily withheld.

3. British merchants shall pay taxes and contributions on these warehouses and jetties on the same footing as Chinese proprietors of similar properties in the neighbourhood. British merchants may only employ Chinese agents and staff to reside in warehouses so leased at places touched at by steamers engaged in inland traffic to carry on their business; but British merchants may visit these places from time to time to look after their affairs. The existing rights of Chinese jurisdiction over Chinese subjects shall not by reason of this clause be diminished or interfered with in any way.

4. Steam vessels navigating the inland waterways of China shall be responsible for loss caused to riparian proprietors by damage which they may do to the banks or works on them and for the loss which may be caused by such damage. In the event of China desiring to prohibit the use of some particular shallow waterway by launches, because there is reason to fear that the use of it by them would be likely to injure the banks and cause damage to the adjoining country, the British authorities, when appealed to, shall, if satisfied of the validity of the objection, prohibit the use of that waterway by British launches, provided that Chinese launches are also prohibited from using it.

Both foreign and Chinese launches are prohibited from crossing dams and weirs at present in existence on inland waterways where they are likely to cause injury to such works, which would be detrimental to the water service of the local people.

5. The main object of the British Government in desiring to see the inland waterways of China opened to steam navigation being to afford facilities for the rapid transport of both foreign and native merchandize, they undertake to offer no impediment to the transfer to a Chinese Company and the Chinese flag of any British steamer which may now or hereafter be employed on the inland waters of China, should the owner be willing to make the transfer.

In event of a Chinese company registered under Chinese law being formed to run steamers on the inland waters of China the fact of British subjects holding shares in such a company shall not entitle the steamers to fly the British flag.

6. Registered steamers and their tows are forbidden, just as junks have always been forbidden, to carry contraband goods. Infractions of this rule will entail the penalties prescribed in the Treaties for such an offence, and cancellation of the Inland Waters Navigation Certificate carried by the vessels, which will be prohibited from thereafter plying on inland waters.

7. As it is desirable that the people living inland should be disturbed as little as possible by the advent of steam-vessels to which they are not accustomed, inland waters not hitherto frequented by steamers shall be opened as gradually as may be convenient to merchants and only as the owners of steamers may see prospect of remunerative trade.

In cases where it is intended to run steam-vessels on waterways on which such vessels have not hitherto run, intimation shall be made to the Commissioner of Customs at the nearest open port who shall report the matter to the Minister of Commerce. The latter in conjunction with the Governor-General or Governor of the Province, after careful consideration of all the circumstances of the case, shall at once give their approval.

8. A registered steamer may ply within the waters of a port, or from one open port or ports to another open port or ports, or from one open port or ports to places inland, and thence back to such port or ports. She may, on making due report to the Customs, land or ship passengers or cargo at any recognized places of trade passed in the course of the voyage; but may not ply between inland places exclusively except with the consent of the Chinese Government.

9. Any cargo and passenger boats may be towed by steamers. The helmsman and crew of any boat towed shall be Chinese. All boats, irrespective of ownership, must be registered before they can proceed inland.

10. These Rules are supplementary to the Inland Steam Navigation Regulations of July and September, 1898. The latter, where untouched by the present Rules, remain in full force and effect; but the present Rules hold in the case of such of the former Regulations as the present Rules affect. The present Rules, and the Regulations of July and September, 1898, to which they are supplementary, are provisional, and may be modified, as circumstances require, by mutual consent.

Done at Shanghai, this 5th day of September, in the year of our Lord 1902; corresponding with the Chinese date, the 4th day of the 8th moon of the 28th year of Kwang Hsü.

(L.S.) JAS. L. MACKAY.

(Signature of his Excellency Lü Hai-huan.)

(Signature of his Excellency Shêng Hsüan-huai.)

(Seal of the Chinese Plenipotentiaries.)

No. 40.
CONVENTION BETWEEN GREAT BRITAIN AND CHINA RESPECTING

THIBET, TO WHICH IS ANNEXED THE CONVENTION BETWEEN
GREAT BRITAIN AND THIBET, SIGNED AT LHASA, SEPTEMBER 7,
1904.

*Signed at Peking, April 27, 1906.**

[*Ratifications exchanged at London, July 23, 1906.*]

WHEREAS His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of China are sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires;

And whereas the refusal of Thibet to recognize the validity of or to carry into full effect the provisions of the Anglo-Chinese Convention of March 17, 1890, and Regulations of December 5th, 1893, placed the British Government under the necessity of taking steps to secure their rights and interests under the said Convention and Regulations;

And whereas a Convention of ten Articles was signed at Lhasa on September 7th, 1904, on behalf of Great Britain and Thibet, and was ratified by the Viceroy and Governor-General of India on behalf of Great Britain on November 11th, 1904, a declaration on behalf of Great Britain modifying its terms under certain conditions being appended thereto;

His Britannic Majesty and His Majesty the Emperor of China have resolved to conclude a Convention on this subject and have for this purpose named Plenipotentiaries, that is to say:

His Majesty the King of Great Britain and Ireland:

Sir Ernest Mason Satow, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George,
His said Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of China;

and His Majesty the Emperor of China:

His Excellency Tong Shoa-yi, His said Majesty's High Commissioner Plenipotentiary and a Vice-President of the Board of Foreign Affairs;

* Signed also in Chinese.

who, having communicated to each other their respective full powers, and finding them to be in good and true form, have agreed upon and concluded the following Convention in six Articles:—

ARTICLE I.

Confirmation of Convention of September 7, 1904, between Great Britain and Thibet.

The Convention concluded on September 7th, 1904, by Great Britain and Thibet, the texts of which in English and Chinese are attached to the present Convention as an Annex, is hereby confirmed, subject to the modification stated in the Declaration appended thereto, and both of the High Contracting Parties engage to take at all times such steps as may be necessary to secure the due fulfilment of the terms specified therein.

ARTICLE II.

Non-interference of Great Britain or other foreign Countries in Thibet.

The Government of Great Britain engages not to annex Thibetan territory or to interfere in the administration of Thibet. The Government of China also undertakes not to permit any other foreign State to interfere with the territory or internal administration of Thibet.

ARTICLE III.

*Concessions in Thibet are denied to any other State but China.—
Telegraph Lines to India.*

The concessions which are mentioned in Article 9 (*d*) of the Convention concluded on September 7th, 1904, by Great Britain and Thibet are denied to any State or to the subject of any State other than China, but it has been arranged with China that at the trade marts specified in Article 2 of the aforesaid Convention Great Britain shall be entitled to lay down telegraph lines connecting with India.

ARTICLE IV.

Provisions of Anglo-Chinese Convention of 1890 and Regulations of 1893.

The provisions of the Anglo-Chinese Convention of 1890* and Regulations of 1893* shall, subject to the terms of this present Convention and Annex thereto, remain in full force.

* Not printed, as they are Indian documents relating to local and frontier questions with Thibet.

ARTICLE V.

English Text of Convention to be authoritative.

The English and Chinese texts of the present Convention have been carefully compared and found to correspond, but in the event of there being any difference of meaning between them the English text shall be authoritative.

ARTICLE VI.

Ratifications.

This Convention shall be ratified by the Sovereigns of both countries, and ratifications shall be exchanged at London within three months after the date of signature by the Plenipotentiaries of both Powers.

In token whereof the respective Plenipotentiaries have signed and sealed this Convention, four copies in English and four in Chinese.

Done at Peking this twenty-seventh day of April, one thousand nine hundred and six, being the fourth day of the fourth month of the thirty-second year of the reign of Kuang Hsü.

(L.S.) ERNEST SATOW.

(Signature and Seal of the Chinese
Plenipotentiary.)

ANNEX.

CONVENTION BETWEEN GREAT BRITAIN AND THIBET.

*Signed at Lhasa, September 7, 1904.**

Whereas doubts and difficulties have arisen as to the meaning and validity of the Anglo-Chinese Convention of 1890, and the

* Signed also in Chinese.

Trade Regulations of 1893, and as to the liabilities of the Thibetan Government under these Agreements; and Whereas recent occurrences have tended towards a disturbance of the relations of friendship and good understanding which have existed between the British Government and the Government of Thibet; and Whereas it is desirable to restore peace and amicable relations, and to resolve and determine the doubts and difficulties as aforesaid, the said Governments have resolved to conclude a Convention with these objects, and the following Articles have been agreed upon by Colonel F. E. Younghusband, C.I.E., in virtue of full powers vested in him by His Britannic Majesty's Government and on behalf of that said Government, and Lo-Sang Gyal-Tsen, the Ga-den Ti-Rimpoche, and the representatives of the Council, of the three monasteries, Se-ra, Dre-pung and Ga-den, and of the ecclesiastical and lay officials of the National Assembly on behalf of the Government of Thibet.

I.

Sikkim-Thibet Frontier.

The Government of Thibet engages to respect the Anglo-Chinese Convention of 1890 and to recognise the frontier between Sikkim and Thibet, as defined in Article I of the said Convention, and to erect boundary pillars accordingly.

II.

Opening of Trade Marts.

The Thibetan Government undertakes to open forthwith trade marts to which all British and Thibetan subjects shall have free right of access at Gyantse and Gartok, as well as at Yatung.

The Regulations applicable to the trade mart at Yatung, under the Anglo-Chinese Agreement of 1893, shall, subject to such amendments as may hereafter be agreed upon by common consent between the British and Thibetan Governments, apply to the marts above mentioned.

In addition to establishing trade marts at the places mentioned, the Thibetan Government undertakes to place no restrictions on the trade by existing routes, and to consider the question of establishing fresh trade marts under similar conditions if development of trade requires it.

III.

Amendment of Regulations of 1893.

The question of the amendment of the Regulations of 1893 is reserved for separate consideration, and the Thibetan Government

undertakes to appoint fully authorized delegates to negotiate with Representatives of the British Government as to the details of the amendments required.

IV.

No duties not provided for in Tariff to be levied by Thibet.

The Thibetan Government undertakes to levy no dues of any kind other than those provided for in the Tariff to be mutually agreed upon.

V.

Upkeep of Trade Roads, and appointment of Trade Agents.

The Thibetan Government undertakes to keep the roads to Gyantse and Gartok from the frontier clear of all obstruction and in a state of repair suited to the needs of the trade, and to establish at Yatung, Gyantse, and Gartok, and at each of the other trade marts that may hereafter be established, a Thibetan Agent who shall receive from the British Agent appointed to watch over British trade at the marts in question any letter which the latter may desire to send to the Thibetan or to the Chinese authorities. The Thibetan Agent shall also be responsible for the due delivery of such communications and for the transmission of replies.

VI.

Indemnity for dispatch of British Troops to Lhasa.

As an indemnity to the British Government for the expense incurred in the dispatch of armed troops to Lhasa, to exact reparation for breaches of Treaty obligations, and for the insults offered to and attacks upon the British Commissioner and his following and escort, the Thibetan Government engages to pay a sum of pounds five hundred thousand—equivalent to rupees seventy-five lakhs—to the British Government.

Payment of Indemnity.

The indemnity shall be payable at such place as the British Government may from time to time, after due notice, indicate whether in Thibet or in the British districts of Darjeeling or Jalpaiguri, in seventy-five annual instalments of rupees one lakh each on the 1st January in each year, beginning from the 1st January, 1906.

VII.

Occupation of Chumbi Valley by Great Britain as security for fulfilment of Treaty.

As security for the payment of the above-mentioned indemnity, and for the fulfilment of the provisions relative to trade marts specified in Articles II, III, IV and V, the British Government shall continue to occupy the Chumbi Valley until the indemnity has been paid and until the trade marts have been effectively opened for three years, whichever date may be the later.

VIII.

Razing of Forts.—Free communication between British frontier and Gyantse and Lhasa.

The Thibetan Government agrees to raze all forts and fortifications and remove all armaments which might impede the course of free communication between the British frontier and the towns of Gyantse and Lhasa,

IX.

Non-interference of any Foreign Power in Thibet.

The Government of Thibet engages that, without the previous consent of the British Government—

(a) no portion of Thibetan territory shall be ceded, sold, leased, mortgaged or otherwise given for occupation, to any Foreign Power;

(b) no such Power shall be permitted to intervene in Thibetan affairs;

(c) no Representatives or Agents of any Foreign Power shall be admitted to Thibet;

(d) no concessions for railways, roads, telegraphs, mining or other rights, shall be granted to any Foreign Power, or to the subject of any Foreign Power. In the event of consent to such concessions being granted, similar or equivalent concessions shall be granted to the British Government;

(e) no Thibetan revenues, whether in kind or in cash, shall be pledged or assigned to any Foreign Power, or to the subject of any Foreign Power.

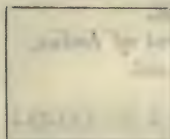
X.

In witness whereof the negotiators have signed the same, and affixed thereunto the seals of their arms.

Done in quintuplicate at Lhasa, this 7th day of September in the year of our Lord one thousand nine hundred and four, corre-

sponding with the Thibetan date, the 27th day of the seventh month of the Wood Dragon year.

Thibet Frontier



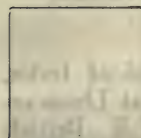
Commission.

Seal of British
Commissioner.

F. E. YOUNGHUSBAND, Col.,
British Commissioner.



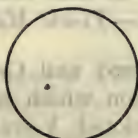
Seal of the Dalai
Lama, affixed
by the Ga-den
Ti-Rimpoche.



Seal of
Council.



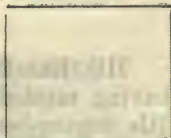
Seal of the
Dre-pung
Monastery.



Seal of Sera
Monastery.



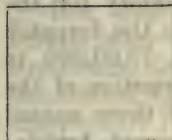
Seal of
Ga-den
Monastery.



Seal of National
Assembly.

In proceeding to the signature of the Convention, dated this day, the Representatives of Great Britain and Thibet declare that the English text shall be binding.

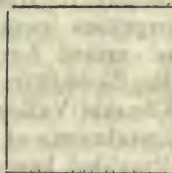
Thibet Frontier



Commission.

Seal of British
Commissioner.

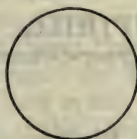
F. E. YOUNGHUSBAND, Col.,
British Commissioner.



Seal of the Dalai
Lama, affixed
by the Ga-den
Ti-Rimpoche.



Seal of
Council.



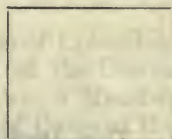
Seal of the
Dre-pung
Monastery.



Seal of Sera
Monastery.



Seal of
Ga-den
Monastery.



Seal of National
Assembly.

AMPTHILL,

Viceroy and Governor-General of India.

This Convention was ratified by the Viceroy and Governor-General of India in Council at Simla, on the eleventh day of November, A.D., one thousand nine hundred and four.

S. M. FRASER,

*Secretary to the Government of India,
Foreign Department.*

DECLARATION SIGNED BY THE VICEROY AND GOVERNOR-GENERAL OF INDIA AND APPENDED TO THE RATIFIED CONVENTION OF 7TH SEPTEMBER, 1904.

Reduction of Indemnity.—British Occupation of the Chumbi Valley.—Trade Marts.

His Excellency the Viceroy and Governor-General of India, having ratified the Convention which was concluded at Lhasa on 7th September, 1904, by Colonel Younghusband, C.I.E., British Commissioner for Thibet Frontier Matters, on behalf of His Britannic Majesty's Government; and by Lo-Sang Gyal-Tsen, the Ga-den Ti-Rimpoche, and the representatives of the Council, of the three monasteries Sera, Drepung, and Ga-den, and of the ecclesiastical and lay officials of the National Assembly, on behalf of the Government of Thibet, is pleased to direct as an act of grace that the sum of money which the Thibetan Government have bound themselves under the terms of Article VI of the said Convention to pay to His Majesty's Government as an indemnity for the expenses incurred by the latter in connection with the despatch of armed forces to Lhasa, be reduced from Rs. 75,00,000 to Rs. 25,00,000; and to declare that the British occupation of the Chumbi Valley shall cease after the due payment of three annual instalments of the said indemnity as fixed by the said Article: Provided, however, that the trade marts as stipulated in Article II of the Convention shall have been effectively opened for three years as provided in Article VI of the Convention; and that, in the meantime, the Thibetans shall have faithfully complied with the terms of the said Convention in all other respects.

AMPTHILL,

Viceroy and Governor-General of India.

This Declaration was signed by the Viceroy and Governor-General of India in Council at Simla, on the eleventh day of November, A.D., one thousand nine hundred and four.

S. M. FRASER,

*Secretary to the Government of India,
Foreign Department.*

COLOMBIA.

No. 41.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION, BETWEEN GREAT BRITAIN AND COLOMBIA.

*Signed at London, February 16, 1866.**

[Ratifications exchanged at London, October 17, 1866.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the United States of Colombia, being desirous to maintain and improve the relations of good understanding which happily subsist between them, and to promote the commercial intercourse between their respective subjects and citizens, have deemed it expedient to conclude a Treaty of Friendship, Commerce, and Navigation, and have for that purpose named as their respective Plenipotentiaries, that is, to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William Frederick, Earl of Clarendon, Baron Hyde of Hindon, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Most Honourable Privy Council, Knight of the Most Noble Order of the Garter, Knight Grand Cross of the Most Honourable Order of the Bath, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Thomas Milner Gibson, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations;

And the Citizen President of the United States of Colombia, Thomas Cipriano de Mosquera, Grand General of the Union, General-in-Chief in the Colombian Guard, a Senator, a Member of the Order of the Liberators of Cundinamarca, of those of the South of Colombia, of those of Peru, decorated with the Medal of Tescua, with that of Barbacoas, and with the Cross of Cuaspud, Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty;

Who, after having communicated to each other their

* Signed also in Spanish.

respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Peace and Friendship.

There shall be a perfect, firm, and inviolable peace and sincere friendship between Her Britannic Majesty and the United States of Colombia, throughout the whole extent of their possessions and territories, and between their subjects and citizens, respectively, without distinction of person or place.

ARTICLE II.

Commerce and Navigation.—Most-favoured-nation and National Treatment.

There shall be between all the dominions and possessions of the two High Contracting Parties, reciprocal freedom of commerce and navigation. The subjects and citizens of each of the two Contracting Parties, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the dominions and possessions of the other, to which other foreign subjects or citizens are or may be permitted to come, upon the same terms and under the same conditions as those of the most favoured nations; and shall, through the whole extent of the dominions and possession of the other, enjoy the same rights, privileges, liberties, favours, immunities and exemptions, in matters of commerce and navigation, which are or may be enjoyed by native subjects or citizens generally.

ARTICLE III.

Imports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty, of any article the produce or manufacture of the dominions and possessions of the United States of Colombia, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of the United States of Colombia, of any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than are or may be payable on the like article, the produce or manufacture of any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of

the Contracting Parties into the dominions and possessions of the other, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country.

ARTICLE IV.

Exports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the Contracting Parties, on the exportation of any article to the dominions and possessions of the other, than such as are, or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country.

ARTICLE V.

Transit Trade, Warehousing, Bounties, Drawbacks, &c.—National Treatment.

The subjects or citizens of one of the Contracting Parties shall enjoy, in the dominions and possessions of the other, equality of treatment with native subjects or citizens in all that relates to the transit trade; and also in regard to warehousing, bounties, facilities, and drawbacks.

ARTICLE VI.

Imports in Vessels of either Country.—National Treatment.

All articles which are or may be legally importable into the ports of the dominions and possessions of Her Britannic Majesty in British vessels, may likewise be imported into those ports in Colombian vessels, without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported in British vessels; and reciprocally, all articles which are or may be legally importable into the ports of the dominions and possessions of the United States of Colombia in Colombian vessels, may likewise be imported into those ports in British vessels, without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported in Colombian vessels. Such reciprocal equality of treatment shall take effect without

distinction, whether such articles come directly from the place of origin, or from any other place.

Exports in Vessels of either Country.—Bounties and Drawbacks.—National Treatment.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions and possessions of either of the Contracting Parties, on the exportation of any article which is or may be legally exportable therefrom, whether such exportation shall take place in British or in Colombian vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties or of any third Power.

ARTICLE VII.

Tonnage, Harbour, Pilotage, Lighthouse, Quarantine, &c., Dues.—National Treatment.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties, of whatever nature, or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed, in the like cases, on national vessels in general. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE VIII.

Stationing, Loading, and Unloading of Vessels.—National Treatment.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE IX.

Coasting Trade excepted.

The stipulations of the preceding Articles shall not apply to the coasting trade, which remains subject to the particular legislation of each of the High Contracting Parties.

Port to Port Trade.—National Treatment.

The vessels of each of the two Contracting Parties shall, however, be at liberty, if the captain, proprietor, or other person duly authorized to act as agent for the vessel or cargo, shall consider advisable, to proceed from one port of one of the two countries to one or more ports of the same country, in order to discharge the whole or part of their cargo brought from abroad, or in order to take in or complete their cargo, without paying other duties than those which are, or may be, paid by national vessels in similar cases.

ARTICLE X.

National Vessels.

All vessels which according to British law are to be deemed British vessels, and all vessels which according to Colombian law are to be deemed Colombian vessels, shall for the purposes of this Treaty, be deemed British and Colombian vessels respectively.

ARTICLE XI.

Import Duties ad valorem.—Mode of Calculation and of Levying.

Any import duty levied *ad valorem* in the territories of either of the two High Contracting Parties shall be calculated on the value of the place of production or fabrication of the object imported, with the addition of the cost of transport, insurance, and commission necessary for the importation into the country to which it is carried, its dominions and possessions, as far as the port of discharge.

For the levying of these duties, the importer shall make a written declaration at the Custom-house, stating the value and description of the goods imported, with the addition aforesaid. If the Custom-house authorities shall be of opinion that the declared value is insufficient, they shall be at liberty to take the goods on paying to the importer the price declared, with an addition of five per cent.

This payment, together with the restitution of any duty which may have been levied upon such goods, shall be made within the fifteen days following the declaration.

ARTICLE XII.

Trade-marks, &c.—National Treatment.

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as native subjects or citizens in regard to trade-marks and designs of every description applicable to articles of manufacture.

ARTICLE XIII.

Privileges of Diplomatic Agents and Consuls.—Appointment of Consuls.—Most-favoured-nation Treatment.

The Diplomatic Agents and Consuls of each of the two High Contracting Parties in the dominions or territories of the other shall enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Agents of the same rank, belonging to the most favoured nation.

It shall be free for each of the Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents, to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted, in the usual form, by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Consuls of the most favoured nation.

ARTICLE XIV.

Freedom of Residence, Travel.—Hiring of Houses, Warehouses, &c.—Trade.—Employment of Agents.—Passports, Taxes, &c.—National Treatment.

The subjects and citizens of each of the Contracting Parties, conforming themselves to the laws of the country,—

1. Shall have full liberty, with their families, to enter, travel, or reside in any part of the dominions and possessions of the other Contracting Party.

2. They shall be permitted to hire or possess the houses, manufactories, warehouses, shops, and premises which may be necessary for them.

3. They may carry on their commerce, by wholesale or by retail, and either in person or by any agents whom they may think fit to employ.

4. They shall not be subject, in respect of their persons or property, or in respect of passports, licences for residence or establishment, nor in respect of their commerce or industry, to any taxes, whether general or local, nor to imposts or obligations of any kind whatever, other or greater than those which are or may be imposed upon native subjects or citizens.

ARTICLE XV.

Liberty of Conscience.—Freedom of Religious Worship.—Burials.

The subjects or citizens of the two High Contracting Parties residing in the territories of the other, shall enjoy the most perfect and entire liberty of conscience, without being molested or disturbed on account of their religious belief. Neither shall they be molested or disturbed in the proper

exercise of their religion, in private houses, or in the churches, chapels, or places destined for worship, provided that in so doing they observe the decorum due to Divine worship, and the respect due to the laws of the country. Liberty shall also be granted to bury the subjects or citizens of the two High Contracting Parties who may die in the territories of the other, in convenient and adequate places, to be appointed and established by the said resident subjects or citizens for that purpose, with the knowledge of the local authorities, or in such other places of sepulture as may be chosen by the friends of the deceased; and the funerals or sepulchres of the dead shall not be disturbed in any wise or upon any account.

ARTICLE XVI.

Exemption from Military Service, Municipal Functions, Forced Loans, &c.

The subjects and citizens of each of the Contracting Parties in the dominions and possessions of the other shall be exempted from all compulsory military service whatever, whether in the army, navy, or national guard or militia. They shall be exempted from all judicial and municipal functions whatever, as well as from all contributions, whether pecuniary or in kind, imposed as a compensation for personal service; and, finally, from forced loans and military exactions or requisitions.

ARTICLE XVII.

Acquisition and Disposal of Property.—Most-favoured-nation and National Treatment.

The subjects and citizens of each of the Contracting Parties in the dominions and possessions of the other, shall be at full liberty to acquire, possess, and dispose of every description of property which the laws of the country may permit any foreigners, of whatsoever nation, to acquire and possess. They may acquire and dispose of the same, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, or in any other manner, under the same conditions as are established by the laws of the country for all foreigners. Their heirs and representatives may succeed to and take possession of such property, either in person or by agents acting on their behalf, in the same manner and in the same legal forms as subjects or citizens of the country. In the absence of heirs and representatives the property shall be treated in the same manner as the like property belonging to a subject or citizen of the country under similar circumstances.

Property: Duties on Succession or Exportation.—National Treatment.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than

is payable by subjects or citizens of the country. In every case the subjects or citizens of the Contracting Parties shall be permitted to export their property, or the proceeds thereof, if sold, freely, and without being subjected on such exportation to pay any duties as foreigners, or any other or higher duties than those to which subjects or citizens of the country are liable under similar circumstances.

ARTICLE XVIII.

Inviolability of Dwellings, &c.—Domiciliary Visits.

The dwellings, manufactories, warehouses, and shops of the subjects or citizens of each of the Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto, destined for purposes of residence or commerce, shall be respected. If there should be occasion to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, such measure shall be executed only in conformity with the legal warrant or order in writing of a tribunal, or of the competent authority.

Administration of Justice.—National Treatment.

The subjects or citizens of each of the two Contracting Parties in the dominions and possessions of the other, shall have free access to the Courts of Justice for the prosecution and defence of their rights. They shall enjoy in this respect the same rights and privileges as subjects or citizens of the country, and shall, like them, be at liberty, to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE XIX.

Rupture of Friendly Relations.—Position of Persons and Property.—National Treatment.

For the better security of commerce between the subjects and citizens of the two High Contracting Parties, it is agreed that if at any time any rupture, or any interruption of friendly intercourse, should unfortunately take place between the two Contracting Parties, the subjects or citizens of either of them, established in the territories of the other, who may reside upon the coasts, shall be allowed six months, and those who may reside in the interior a whole year, to wind up their accounts and to dispose of their property; and a safe-conduct shall be given to them to embark at the port which they themselves shall select. The subjects or citizens of either of the two Contracting Parties who may be established in the dominions or territories of the other, in the exercise of any trade or other occupation or employment, shall be allowed to remain and con-

tinue in the exercise of the said trade or occupation, notwithstanding the interruption of friendship between the two countries, in the free enjoyment of their personal liberty and property, so long as they behave peaceably and observe the laws; and their goods and effects, of whatever description they may be, whether in their own custody or intrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property belonging to native subjects or citizens. In the same case, or in case of domestic troubles, debts between individuals, public funds, and the shares of Companies, shall never be confiscated, sequestered, or detained.

ARTICLE XX.

Wrecks and Salvage.—National Treatment.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled, by stress of weather, or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast into the sea, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Colombian Consul-General, Consul, or Vice-Consul, in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents, shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of Customs, unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if

the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XXI.

Seamen Deserters.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XXII.

Abrogation of Treaty between Great Britain and Colombia of April 18, 1825.—Duration of Present Treaty.

The present Treaty of Commerce and Navigation, when ratified, shall, so far as regards the United States of Colombia, be substituted for the Treaty between His Britannic Majesty and the State of Colombia, signed at Bogotá, on the 18th of April, 1825, and shall remain in force for ten years from the date of the exchange of the ratifications, and further until the expiration of twelve months after either of the Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the Contracting Parties being at liberty to give such notice to the other at the expiration of the first nine years, or at any time afterwards.

ARTICLE XXIII.

Ratifications.

The present Treaty shall be ratified, and the ratifications shall be exchanged at London in twelve months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at London, the sixteenth day of February, in the year of our Lord one thousand eight hundred and sixty-six.

(L.S.) CLARENDON.
(L.S.) THO^s. MILNER GIBSON.
(L.S.) T. C. DE MOSQUERA.

CONGO FREE STATE.

No. 42.

CONVENTION BETWEEN GREAT BRITAIN AND THE
INTERNATIONAL ASSOCIATION OF THE CONGO.*Signed at Berlin, December 16, 1884.***[Ratifications exchanged at Brussels, May 9, 1885.]*

WHEREAS the Government of Her Britannic Majesty have recognized the flag of the International Association of the Congo, and of the Free States under its administration, as the flag of a friendly Government;

And whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, on the one part, and His Majesty the King of the Belgians, acting as Founder of the International Association of the Congo, and in the name of the said Association, on the second part, deeming it expedient to regulate and define the rights of British subjects in the territories of the said Free States, and to provide for the exercise of civil and criminal jurisdiction over them, in manner hereinafter mentioned, until sufficient provision shall have been made by the Association for the administration of justice amongst foreigners, have with this view appointed their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Sir Edwin Baldwin Malet, Knight Commander of the Most Honourable Order of the Bath, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Imperial Majesty the German Emperor, King of Prussia, &c., and

His Majesty the King of the Belgians, Charles Ferdinand Strauch, Military Intendant of the First Class in the Belgian Army;

The said Plenipotentiaries, having communicated to each other their respective full powers, have agreed upon the following Articles:--

ARTICLE I.

No Import or Transit Duties to be levied by the Association.

The International Association of the Congo undertakes not to levy any duty, import or transit, on articles or merchandize

* Signed also in French.

imported by British subjects into the said territories, or into any territory which may hereafter come under its government. This freedom from custom-house duties shall extend to merchandize and articles of commerce which shall be transported along the roads or canals constructed, or to be constructed, around the cataracts of the Congo.

ARTICLE II.

Freedom of Residence and Religious Worship.—Protection of Persons and Property.—Commerce, Navigation, Industry, Right to Buy, Sell, Let, or Hire Lands, Houses, Mines, &c., Coasting Trade.—Most-favoured-nation Treatment.

British subjects shall have at all times the right of sojourning and of establishing themselves within the territories which are or shall be under the government of the said Association. They shall enjoy the same protection which is accorded to the subjects or citizens of the most favoured nation in all matters which regard their persons, their property, the free exercise of their religion, and the rights of navigation, commerce, and industry. Especially they shall have the right of buying, of selling, of letting, and of hiring lands and buildings, mines and forests, situated within the said territories, and of founding houses of commerce, and of carrying on commerce and a coasting trade under the British flag.

ARTICLE III.

General Most-favoured-nation Treatment.

The Association engages itself not to accord any advantages whatsoever to the subjects of any other nation without the same advantages being extended to British subjects.

ARTICLE IV.

Appointment and Protection of Consular Officers.

Her Majesty the Queen of Great Britain and Ireland may appoint Consuls or other Consular officers to reside at ports or stations within the said territories, and the Association engages itself to protect them.

ARTICLE V.

British Consular Jurisdiction, Civil and Criminal.

Every British Consul or Consular officer within the said territories, who shall be thereunto duly authorized by Her

Britannic Majesty's Government, may hold a Consular Court for the district assigned to him, and shall exercise sole and exclusive jurisdiction, both civil and criminal, over the persons and property of British subjects within the same, in accordance with British law.

ARTICLE VI.

Laws of Free State to be observed by British Subjects.—

Infractions justiciable by British Consular Court.

Nothing in the last preceding Article contained shall be deemed to relieve any British subject from the obligation to observe the laws of the said Free State applicable to foreigners, but any infraction thereof by a British subject shall be justiciable only by a British Consular Court.

ARTICLE VII.

Offences against Persons or Property of British Subjects by inhabitants of Free State, punishable by Laws of the State.—Administration of Justice.

Inhabitants of the said territories who are subject to the government of the Association, if they shall commit any wrong against the person or property of a British subject, shall be arrested and punished by the authorities of the Association according to the laws of the said Free State.

Justice shall be equitably and impartially administered on both sides.

ARTICLE VIII.

Jurisdiction in Civil Cases.—Settlement of Disputes.

A British subject, having reason to complain against an inhabitant of the said territories, who is subject to the government of the Association, must proceed to the British Consulate, and there state his grievance. The Consul shall inquire into the merits of the case, and do his utmost to arrange it amicably. In like manner, if any such inhabitant of the said territories shall have reason to complain of a British subject, the British Consul shall no less listen to his complaint and endeavour to settle it in a friendly manner. If disputes take place of such a nature that the Consul cannot arrange them amicably, then he shall request the assistance of the authorities of the Association to examine into the merits of the case and decide it equitably.

ARTICLE IX.

Recovery of Debts.

Should any inhabitant of the said territories, who is subject to the government of the Association, fail to discharge any

debt incurred to a British subject, the authorities of the Association will do their utmost to bring him to justice, and to enforce recovery of the said debt; and should any British subject fail to discharge a debt incurred by him to any such inhabitant, the British authorities will in like manner do their utmost to bring him to justice, and to enforce recovery of the debt. No British Consul nor any authority of the Association is to be held responsible for the payment of any debt contracted either by a British subject, or by any inhabitant of the said territories, who is subject to the government of the Association.

ARTICLE X.

Above Engagements to apply also in case of Cession of Territory.

In case of the Association being desirous to cede any portion of the territory now or hereafter under its government, it shall not cede it otherwise than as subject to all the engagements contracted by the Association under this Convention. Those engagements, and the rights thereby accorded to British subjects, shall continue to be in vigour after every cession made to any new occupant of any portion of the said territory.

Ratifications.

This Convention shall be ratified, and the ratifications shall be exchanged with the least possible delay. It shall come into operation immediately upon the exchange of ratifications.

Done at Berlin, the sixteenth day of December, eighteen hundred and eighty-four.

(L.S.) EDWARD B. MALET.
(L.S.) STRAUCH.

No. 43.

DECLARATIONS EXCHANGED BETWEEN GREAT BRITAIN AND THE INTERNATIONAL ASSOCIATION OF THE CONGO.

Berlin, December 16, 1884.

DECLARATION OF THE ASSOCIATION.

L'ASSOCIATION Internationale du Congo, fondée par Sa Majesté le Roi des Belges, dans le but de favoriser la civilisation

et le commerce de l'Afrique, ainsi que dans des intentions humanitaires et bienveillantes, déclare par la présente ce qui suit :—

*Treaties with States in Basins of the Congo and Niadi
Kwilu, &c.*

1. Que par des Traités conclus avec les Souverains légitimes dont les États sont situés dans les bassins du Congo et du Niadi Kwilu et dans les territoires adjacents à l'Atlantique, il lui a été cédé des territoires à l'usage et au profit d'États Libres établis ou à établir dans les dits bassins et territoires adjacents.

Administration of Interests vested in the Association.

2. Qu'en vertu de ces Traités l'Association est investie de l'administration des intérêts des dits États Libres.

Flag.

3. Que l'Association a adopté comme son pavillon et celui des États Libres un drapeau bleu avec étoile d'or au centre.

No Customs Duties to be levied on Imports.

4. Que dans le but de permettre au commerce de pénétrer dans l'Afrique équatoriale, l'Association et les dits États Libres ont résolu de ne prélever aucun droit sur les articles de commerce ou marchandises importés directement dans leurs territoires ou introduits par la route qui a été construite autour des cataractes du Congo.

*Freedom of Religious Worship, Navigation, Commerce, and
Industry.—Right to Buy, Sell, and Hire Lands, Houses,
Mines, &c.*

5. Que l'Association et les dits États Libres garantissent aux étrangers établis dans leurs territoires le libre exercice de leur religion, les droits de navigation, du commerce, et de l'industrie, ainsi que le droit d'acheter, vendre, et louer des terres, des édifices, des mines et des forêts sous condition d'obéir aux lois.

Slave Trade and Slavery.

6. Que l'Association et les dits États Libres feront tout ce qui est en leur pouvoir pour empêcher la Traite et supprimer l'esclavage.

Ainsi fait à Berlin, le seize Décembre, dix-huit cent quatre-vingt-quatre.

(Signé) STRAUCH,

Au nom de l'Association.

(L.S.)

DECLARATION OF HER BRITANNIC MAJESTY'S GOVERNMENT.

Recognition of Flag of the Association.

The Government of Her Britannic Majesty declare their sympathy with, and approval of, the humane and benevolent purposes of the Association, and hereby recognize the flag of the Association, and of the Free State under its administration, as the flag of a friendly Government.

Done at Berlin, the sixteenth day of December, eighteen hundred and eighty-four.

(Signed) EDWARD B. MALET,

On behalf of Her Majesty's Government.

(L.S.)

COREA.

No. 44.

TREATY OF FRIENDSHIP AND COMMERCE BETWEEN GREAT BRITAIN AND COREA.

Signed at Hanyang, November 26, 1883.

[Ratifications exchanged at Hanyang, April 28, 1884.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the King of Corea, being sincerely desirous of establishing permanent relations of friendship and commerce between their respective dominions, have resolved to conclude a Treaty for that purpose, and have therefore named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Sir Harry Smith Parkes, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of China ;

His Majesty the King of Corea, Min Yöng-Mok, President of His Majesty's Foreign Office, a Dignitary of the First Rank, Senior Vice-President of the Council of State, Member of His Majesty's Privy Council, and Junior Guardian of the Crown Prince ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Peace and Friendship.—Protection of Persons and Property.

1. There shall be perpetual peace and friendship between Her Majesty the Queen of the United Kingdom of Great

Britain and Ireland, Empress of India, her heirs and successors, and His Majesty the King of Corea, his heirs and successors, and between their respective dominions and subjects, who shall enjoy full security and protection for their persons and property within the dominions of the other.

Good Offices in Case of Differences with a Third Power.

2. In case of differences arising between one of the High Contracting Parties and a third Power, the other High Contracting Party, if requested to do so, shall exert its good offices to bring about an amicable arrangement.

ARTICLE II.

Appointment and Privileges of Diplomatic and Consular Officers.

1. The High Contracting Parties may each appoint a Diplomatic Representative to reside permanently or temporarily at the capital of the other, and may appoint a Consul-General, Consuls, or Vice-Consuls, to reside at any or all of the ports or places of the other which are open to foreign commerce. The Diplomatic Representatives and Consular functionaries of both countries shall freely enjoy the same facilities for communication, personally or in writing, with the authorities of the country where they respectively reside, together with all other privileges and immunities as are enjoyed by Diplomatic or Consular functionaries in other countries.

2. The Diplomatic Representative and the Consular functionaries of each Power and the members of their official establishments shall have the right to travel freely in any part of the dominions of the other, and the Corean authorities shall furnish passports to such British officers travelling in Corea, and shall provide such escort for their protection as may be necessary.

3. The Consular officers of both countries shall exercise their functions on receipt of due authorization from the Sovereign or Government of the country in which they respectively reside, and shall not be permitted to engage in trade.

ARTICLE III.

British Consular Jurisdiction. — Punishment of Offences by British Subjects on Coreans and by Coreans on British Subjects.

1. Jurisdiction over the persons and property of British subjects in Corea shall be vested exclusively in the duly

authorized British judicial authorities, who shall hear and determine all cases brought against British subjects by any British or other foreign subject or citizen without the intervention of the Corean authorities.

2. If the Corean authorities or a Corean subject make any charge or complaint against a British subject in Corea, the case shall be heard and decided by the British judicial authorities.

3. If the British authorities or a British subject make any charge or complaint against a Corean subject in Corea, the case shall be heard and decided by the Corean authorities.

4. A British subject who commits any offence in Corea shall be tried and punished by the British judicial authorities according to the laws of Great Britain.

5. A Corean subject who commits in Corea any offence against a British subject shall be tried and punished by the Corean authorities according to the laws of Corea.

6. Any complaint against a British subject involving a penalty or confiscation by reason of any breach either of this Treaty or of any regulation annexed thereto, or of any regulation that may hereafter be made in virtue of its provisions, shall be brought before the British judicial authorities for decision, and any penalty imposed, and all property confiscated in such cases, shall belong to the Corean Government.

7. British goods, when seized by the Corean authorities at an open port, shall be put under the seals of the Corean and the British Consular authorities, and shall be detained by the former until the British judicial authorities shall have given their decision. If this decision is in favour of the owner of the goods, they shall be immediately placed at the Consul's disposal. But the owner shall be allowed to receive them at once on depositing their value with the Corean authorities pending the decision of the British judicial authorities.

8. In all cases, whether civil or criminal, tried either in Corean or British Courts in Corea, a properly authorized official of the nationality of the plaintiff or prosecutor shall be allowed to attend the hearing, and shall be treated with the courtesy due to his position. He shall be allowed, whenever he thinks it necessary, to call, examine, and cross-examine witnesses, and to protest against the proceedings or decision.

9. If a Corean subject who is charged with an offence against the laws of his country takes refuge on premises occupied by a British subject, or on board a British merchant-vessel, the British Consular authorities, on receiving an application from the Corean authorities, shall take steps to have such person arrested and handed over to the latter for trial. But, without the consent of the proper British Consular authority,

no Korean officer shall enter the premises of any British subject without his consent, or go on board any British ship without the consent of the officer in charge.

10. On the demand of any competent British Consular authority, the Korean authorities shall arrest and deliver to the former any British subject charged with a criminal offence, and any deserter from a British ship of war or merchant-vessel.

ARTICLE IV.

Opening of Chemulpo (Jenchuan), Wönsan (Gensan), Pusan (Fusan), Hanyang (Seoul), and Yanghwa to British Trade.

1. The ports of Chemulpo (Jenchuan), Wönsan (Gensan) and Pusan (Fusan), or, if the latter port should not be approved, then such other port as may be selected in its neighbourhood, together with the city of Hanyang and of the town of Yanghwa Chin, or such other place in that neighbourhood, as may be deemed desirable, shall, from the day on which this Treaty comes into operation, be opened to British commerce.

Purchase or Hire of Land, Houses, &c., in Foreign Settlements.

2. At the above-named places British subjects shall have the right to rent or to purchase land or houses, and to erect dwellings, warehouses, and factories. They shall be allowed the free exercise of their religion. All arrangements for the selection, determination of the limits, and laying out of the sites of the foreign Settlements, and for the sale of land at the various ports and places in Corea open to foreign trade, shall be made by the Korean authorities in conjunction with the competent foreign authorities.

Rent, &c., of Foreign Settlements.

3. These sites shall be purchased from the owners and prepared for occupation by the Korean Government, and the expense thus incurred shall be a first charge on the proceeds of the sale of the land. The yearly rental agreed upon by the Korean authorities in conjunction with the foreign authorities shall be paid to the former, who shall retain a fixed amount thereof as a fair equivalent for the land tax, and the remainder, together with any balance left from the proceeds of land sales, shall belong to a municipal fund to be administered by a Council, the constitution of which shall be determined hereafter by the Korean authorities in conjunction with the competent foreign authorities.

Purchase of Land and Houses outside Foreign Settlements.

4. British subjects may rent or purchase land or houses beyond the limits of the foreign Settlements, and within a distance of 10 Corean *li* from the same. But all land so occupied shall be subject to such conditions as to the observance of Corean local Regulations and payment of land tax as the Corean authorities may see fit to impose.

Foreign Cemeteries at Treaty Ports.

5. The Corean authorities will set apart, free of cost, at each of the places open to trade, a suitable piece of ground as a foreign cemetery, upon which no rent, land tax, or other charges shall be payable, and the management of which shall be left to the Municipal Council above mentioned.

*Travelling within and beyond 100 li from Open Ports.—
Passports.*

6. British subjects shall be allowed to go where they please without passports within a distance of 100 Corean *li* from any of the ports and places open to trade, or within such limits as may be agreed upon between the competent authorities of both countries. British subjects are also authorized to travel in Corea for pleasure or for purposes of trade, to transport and sell goods of all kinds, except books and other printed matter disapproved of by the Corean Government, and to purchase native produce in all parts of the country under passports which will be issued by their Consuls and countersigned or sealed by the Corean local authorities. These passports, if demanded, must be produced for examination in the districts passed through. If the passport be not irregular, the bearer will be allowed to proceed, and he shall be at liberty to procure such means of transport as he may require. Any British subject travelling beyond the limits above named without a passport, or committing when in the interior any offence, shall be arrested and handed over to the nearest British Consul for punishment. Travelling without a passport beyond the said limits will render the offender liable to a fine not exceeding 100 Mexican dollars, with or without imprisonment for a term not exceeding one month.

*British Subjects amenable to Municipal, Police, and other
Regulations.*

7. British subjects in Corea shall be amenable to such municipal, police, and other regulations for the maintenance of

peace, order, and good government as may be agreed upon by the competent authorities of the two countries.

ARTICLE V.

Importation and Exportation.—Transaction of business with Koreans at Treaty Ports.

1. At each of the ports or places open to foreign trade, British subjects shall be at full liberty to import from any foreign port, or from any Korean open port, to sell to or to buy from any Korean subjects or others, and to export to any foreign or Korean open port, all kinds of merchandize not prohibited by this Treaty, on paying the duties of the Tariff annexed thereto. They may freely transact their business with Korean subjects or others without the intervention of Korean officials or other persons, and they may freely engage in any industrial occupation.

Drawbacks Certificates.

2. The owners or consignees of all goods imported from any foreign port upon which the duty of the aforesaid Tariff shall have been paid shall be entitled, on re-exporting the same to any foreign port at any time within thirteen Korean months from the date of importation, to receive a drawback certificate for the amount of such import duty, provided that the original packages containing such goods remain intact. These drawback certificates shall either be redeemed by the Korean Customs on demand, or they shall be received in payment of duty at any Korean open port.

Drawbacks on Korean Goods carried from one Open Port to another.

3. The duty paid on Korean goods, when carried from one Korean open port to another, shall be refunded at the port of shipment on production of a Customs certificate showing that the goods have arrived at the port of destination, or on satisfactory proof being produced of the loss of the goods by shipwreck.

No further Imposts on Goods on which Tariff Duty has been paid.

4. All goods imported into Corea by British subjects, and on which the duty of the Tariff annexed to this Treaty shall have been paid, may be conveyed to any Korean open port free of duty, and, when transported into the interior, shall not be

subject to any additional tax, excise or transit duty whatsoever in any part of the country. In like manner, full freedom shall be allowed for the transport to the open ports of all Korean commodities intended for exportation, and such commodities shall not, either at the place of production, or when being conveyed from any part of Korea to any of the open ports, be subject to the payment of any tax, excise or transit duty whatsoever.

Chartering of British Vessels by Koreans.

5. The Korean Government may charter British merchant-vessels for the conveyance of goods or passengers to unopened ports in Korea, and Korean subjects shall have the same right, subject to the approval of their own authorities.

Prohibition of Export of Grain in times of Famine.

6. Whenever the Government of Korea shall have reason to apprehend a scarcity of food within the kingdom, His Majesty the King of Korea may, by Decree, temporarily prohibit the export of grain to foreign countries from any or all of the Korean open ports, and such prohibition shall become binding on British subjects in Korea on the expiration of one month from the date on which it shall have been officially communicated by the Korean authorities to the British Consul at the port concerned, but shall not remain longer in force than is absolutely necessary.

Tonnage Dues.

7. All British ships shall pay tonnage dues at the rate of 30 cents (Mexican) per register ton. One such payment will entitle a vessel to visit any or all of the open ports in Korea during a period of four months without further charge. All tonnage dues shall be appropriated for the purposes of erecting lighthouses and beacons, and placing buoys on the Korean coast, more especially at the approaches to the open ports, and in deepening or otherwise improving the anchorages. No tonnage dues shall be charged on boats employed at the open ports in landing or shipping cargo.

Operation of Tariff and Trade Regulations annexed to this Treaty.

8. In order to carry into effect and secure the observance of the provisions of this Treaty, it is hereby agreed that the Tariff and Trade Regulations hereto annexed shall come into operation.

simultaneously with this Treaty. The competent authorities of the two countries may, from time to time, revise the said Regulations with a view to the insertion therein, by mutual consent, of such modifications or additions as experience shall prove to be expedient.

ARTICLE VI.

Smuggling of Goods into Ports not open to Trade.

Any British subject who smuggles, or attempts to smuggle, goods into any Korean port or place not open to foreign trade shall forfeit twice the value of such goods, and the goods shall be confiscated. The Korean local authorities may seize such goods, and may arrest any British subject concerned in such smuggling or attempt to smuggle. They shall immediately forward any person so arrested to the nearest British Consul for trial by the proper British judicial authority, and may detain such goods until the case shall have been finally adjudicated.

ARTICLE VII.

Wrecks and Salvage.

1. If a British ship be wrecked or stranded on the coast of Corea, the local authorities shall immediately take such steps to protect the ship and her cargo from plunder, and all the persons belonging to her from ill-treatment, and to render such other assistance as may be required. They shall at once inform the nearest British Consul of the occurrence, and shall furnish the shipwrecked persons, if necessary, with means of conveyance to the nearest open port.

2. All expenses incurred by the Government of Corea for the rescue, clothing, maintenance, and travelling of shipwrecked British subjects, for the recovery of the bodies of the drowned, for the medical treatment of the sick and injured, and for the burial of the dead, shall be repaid by the British Government to that of Corea.

3. The British Government shall not be responsible for the repayment of the expenses incurred in the recovery or preservation of a wrecked vessel, or the property belonging to her. All such expenses shall be a charge upon the property saved, and shall be paid by the parties interested therein upon receiving delivery of the same.

4. No charge shall be made by the Government of Corea for the expenses of the Government officers, local functionaries,

or police who shall proceed to the wreck, for the travelling expenses of officers escorting the shipwrecked men, nor for the expenses of official correspondence. Such expenses shall be borne by the Korean Government.

5. Any British merchant-ship compelled by stress of weather or by want of fuel or provisions to enter an unopened port in Corea shall be allowed to execute repairs, and to obtain necessary supplies. All such expenses shall be defrayed by the master of the vessel.

ARTICLE VIII.

Visits of Vessels of War.

1. The ships of war of each country shall be at liberty to visit all the ports of the other. They shall enjoy every facility for procuring supplies of all kinds, or for making repairs, and shall not be subject to trade or harbour regulations, nor be liable to the payment of duties or port charges of any kind.

2. When British ships of war visit unopened ports in Corea, the officers and men may land, but shall not proceed into the interior unless they are provided with passports.

3. Supplies of all kinds for the use of the British navy may be landed at the open ports of Corea, and stored in the custody of a British officer, without the payment of any duty. But if any such supplies are sold, the purchaser shall pay the proper duty to the Korean authorities.

4. The Korean Government will afford all the facilities in their power to ships belonging to the British Government which may be engaged in making surveys in Korean waters.

ARTICLE IX.

Employment by Subjects of the One Country of Subjects of the Other.

1. The British authorities and British subjects in Corea shall be allowed to employ Korean subjects as teachers, interpreters, servants, or in any other lawful capacity, without any restriction on the part of the Korean authorities; and, in like manner, no restrictions shall be placed upon the employment of British subjects by Korean authorities and subjects in any lawful capacity.

Facilities for Study of Art, &c.

2. Subjects of either nationality who may proceed to the country of the other to study its language, literature, laws, arts, or industries, or for the purpose of scientific research, shall be afforded every reasonable facility for doing so.

ARTICLE X.

Import and Export Duties.—Most-favoured-nation Treatment.

It is hereby stipulated that the Government, public officers, and subjects of Her Britannic Majesty shall, from the day on which this Treaty comes into operation, participate in all privileges, immunities, and advantages, especially in relation to import or export duties on goods and manufactures, which shall then have been granted or may thereafter be granted by His Majesty the King of Corea to the Government, public officers, or subjects of any other Power.

ARTICLE XI.

Duration and Revision of Treaty.

Ten years from the date on which this Treaty shall come into operation, either of the High Contracting Parties may, on giving one year's previous notice to the other, demand a revision of the Treaty or of the Tariff annexed thereto, with a view to the insertion therein, by mutual consent, of such modifications as experience shall prove to be desirable.

ARTICLE XII.

Differences as to Interpretation of Treaty to be decided by English Text.

1. This Treaty is drawn up in the English and Chinese languages, both of which versions have the same meaning, but it is hereby agreed that any difference which may arise as to interpretation shall be determined by reference to the English text.

Language of Official Communications.

2. For the present all official communications addressed by the British authorities to those of Corea shall be accompanied by a translation into Chinese.

ARTICLE XIII.

Ratifications.

The present Treaty shall be ratified by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and by His Majesty the King of Corea, under their hands and seals; the ratifications shall be exchanged at Hanyang (Söul) as soon as possible, or at latest within one year from the date of signature, and the Treaty, which shall be published by both Governments, shall come into operation on the day on which the ratifications are exchanged.

In witness whereof the respective Plenipotentiaries above named have signed the present Treaty, and have thereto affixed their seals.

Done in triplicate at Hanyang, this twenty-sixth day of November, in the year eighteen hundred and eighty-three, corresponding to the twenty-seventh day of the tenth month of the four hundred and ninety-second year of the Korean era, being the ninth year of the Chinese reign Kuang Hsi.

(L.S.) HARRY S. PARKES.

(L.S.) (Signature in Chinese of MIN YÖNG-MOK,
the Korean Plenipotentiary.)

REGULATIONS UNDER WHICH BRITISH TRADE IS TO BE CONDUCTED
IN COREA.

I.—*Entrance and Clearance of Vessels.*

1. Within forty-eight hours (exclusive of Sundays and holidays) after the arrival of a British ship in a Korean port, the master shall deliver to the Korean Customs authorities the receipt of the British Consul showing that he has deposited the ship's papers at the British Consulate, and he shall then make an entry of his ship by handing in a written paper stating the name of a ship, of the port from which she comes, of her master, the number, and, if required, the names of her passengers, her tonnage, and the number of her crew, which paper shall be certified by the master to be a true statement, and shall be signed by him. He shall, at the same time, deposit a written manifest of his cargo, setting forth the marks and numbers of the packages and their contents as they are described in the bills of lading, with the names of the persons to whom they are consigned. The master shall certify

that this description is correct, and shall sign his name to the same. When a vessel has been duly entered, the Customs authorities shall issue a permit to open hatches, which shall be exhibited to the Customs officer on board. Breaking bulk without having obtained such permission will render the master liable to a fine not exceeding 100 Mexican dollars.

2. If any error is discovered in the manifest, it may be corrected within twenty-four hours (exclusive of Sundays and holidays) of its being handed in, without the payment of any fee, but for any alteration or post entry to the manifest made after that time a fee of 5 Mexican dollars shall be paid.

3. Any master who shall neglect to enter his vessel at the Corean Custom-house within the time fixed by this Regulation shall pay a penalty not exceeding 50 Mexican dollars for every twenty-four hours that he shall so neglect to enter his ship.

4. Any British vessel which remains in port for less than forty-eight hours (exclusive of Sundays and holidays) and does not open her hatches, also any vessel driven into port by stress of weather, or only in want of supplies, shall not be required to enter or to pay tonnage dues so long as such vessel does not engage in trade.

5. When the master of a vessel wishes to clear, he shall hand in to the Customs authorities an export manifest containing similar particulars to those given in the import manifest. The Customs authorities will then issue a clearance certificate and return the Consul's receipt for the ship's papers. These documents must be handed into the Consulate before the ship's papers are returned to the master.

6. Should any ship leave the port without clearing outwards in the manner above described, the master shall be liable to a penalty not exceeding 200 Mexican dollars.

7. British steamers may enter and clear on the same day, and they shall not be required to hand in a manifest except for such goods as are to be landed or transhipped at the port of entry.

II.—*Landing and Shipping of Cargo, and Payment of Duties.*

1. The importer of any goods who desires to land them shall make and sign an application to that effect at the custom-house, stating his own name, the name of the ship in which the goods have been imported, the marks, numbers, and contents of the packages and their values, and declaring that this statement is correct. The Customs authorities may demand the production of the invoice of each consignment of merchandize. If it is not produced, or if its absence is not satisfactorily accounted for,

the owner shall be allowed to land his goods on payment of double the Tariff duty, but the surplus duty so levied shall be refunded on the production of the invoice.

2. All goods so entered may be examined by the Customs officers at the places appointed for the purpose. Such examination shall be made without delay or injury to the merchandize, and the packages shall be at once restored by the Customs authorities to their original condition, in so far as may be practicable.

3. Should the Customs authorities consider the value of any goods paying an *ad valorem* duty as declared by the importer or exporter insufficient, they shall call upon him to pay duty on the value determined by an appraisement to be made by the Customs appraiser. But should the importer or exporter be dissatisfied with that appraisement, he shall within twenty-four hours (exclusive of Sundays and holidays) state his reasons for such dissatisfaction to the Commissioner of Customs, and shall appoint an appraiser of his own to make a reappraisement. He shall then declare the value of the goods as determined by such reappraisement. The Commissioner of Customs will thereupon, at his option, either assess the duty on the value determined by this reappraisement, or will purchase the goods from the importer or exporter at the price thus determined, with the addition of 5 per cent. In the latter case the purchase-money shall be paid to the importer or exporter within five days from the date on which he has declared the value determined by his own appraiser.

4. Upon all goods damaged on the voyage of importation a fair reduction of duty shall be allowed, proportionate to their deterioration. If any disputes arise as to the amount of such reduction, they shall be settled in the manner pointed out in the preceding clause.

5. All goods intended to be exported shall be entered at the Korean Custom-house before they are shipped. The application to ship shall be made in writing, and shall state the name of the vessel by which the goods are to be exported, the marks and number of the packages, and the quantity, description, and value of the contents. The exporter shall certify in writing that the application gives a true account of all the goods contained therein, and shall sign his name thereto.

6. No goods shall be landed or shipped at other places than those fixed by the Korean Customs authorities, or between the hours of sunset and sunrise, or on Sundays or holidays, without the special permission of the Customs authorities, who will be entitled to reasonable fees for the extra duty thus performed.

7. Claims by importers or exporters for duties paid in excess, or by the Customs authorities for duties which have not been

fully paid, shall be entertained only when made within thirty days from the date of payment.

8. No entry will be required in the case of provisions for the use of British ships, their crews and passengers, nor for the baggage of the latter which may be landed or shipped at any time after examination by the Customs officers.

9. Vessels needing repairs may land their cargo for that purpose without the payment of duty. All goods so landed shall remain in charge of the Korean authorities, and all just charges for storage, labour, and supervision shall be paid by the master. But if any portion of such cargo be sold, the duties of the Tariff shall be paid on the portion so disposed of.

10. Any person desiring to tranship cargo shall obtain a permit from the Customs authorities before doing so.

III.—*Protection of the Revenue.*

1. The Customs authorities shall have the right to place Customs officers on board any British merchant-vessel in their ports. All such Customs officers shall have access to all parts of the ship in which cargo is stowed. They shall be treated with civility, and such reasonable accommodation shall be allotted to them as the ship affords.

2. The hatches and all other places of entrance into that part of the ship where cargo is stowed may be secured by the Korean Customs officers between the hours of sunset and sunrise, and on Sundays and holidays, by affixing seals, locks, or other fastenings, and if any person shall, without due permission, wilfully open any entrance that has been so secured, or break any seal, lock, or other fastening that has been affixed by the Korean Customs officers, not only the person so offending, but the master of the ship also, shall be liable to a penalty not exceeding 100 Mexican dollars.

3. Any British subject who ships, or attempts to ship, or discharges, or attempts to discharge, goods which have not been duly entered at the custom-house in the manner above provided, or packages containing goods different from those described in the import or export permit application, or prohibited goods, shall forfeit twice the value of such goods, and the goods shall be confiscated.

4. Any person signing a false declaration or certificate with the intent to defraud the revenue of Korea shall be liable to a fine not exceeding 200 Mexican dollars.

5. Any violation of any provision of these Regulations, to

which no penalty is specially attached herein, may be punished by a fine not exceeding 100 Mexican dollars.

Note.—All documents required by these Regulations, and all other communications addressed to the Korean Customs authorities, may be written in the English language.

(L.S.) HARRY S. PARKES.

(L.S.) (Signature in Chinese of MIN YÖNG-MOK,
the Korean Plenipotentiary.)

IMPORT TARIFF.

[Classified according to Rate of Duty.]

CLASS I.

Duty Free Goods.

Agricultural implements.
Books, maps, and charts.
Bullion, being gold and silver refined.
Coins, gold and silver.
Fire engines.
Models of inventions.
Packing bags, packing matting, tea-lead, and ropes for packing goods.
Plants, trees, and shrubs, of all kinds.
Samples in reasonable quantities.
Scientific instruments, as physical, mathematical, meteorological, and surgical instruments and their appliances.
Travellers' baggage.
Types, new and old.

CLASS II.

Import Goods subject to an ad valorem Duty of 5 per cent.

Alum.
Anchors and chains.
Bark for tanning.
Bamboo, split or not.
Beans, peas, and pulse, all kinds.
Bones.
Bricks and tiles.
Camphor, crude.
Coal and coke.
Cotton, raw.
Drugs and medicines, all kinds.
Fish, fresh.
Flax, hemp, and jute.
Flints.
Flour and meal, all kinds.
Fruit, fresh, all kinds.
Glue.
Grain and corn, all kinds.

Guano and manures, all kinds.
 Hides and skins, raw and undressed.
 Horns and hoofs, all kinds not otherwise provided for.
 Kerosene and petroleum and other mineral oils.
 Lanterns, paper.
 Lime.
 Matches.
 Matting, floor, Chinese and Japanese, coir, &c., common qualities.
 Meat, fresh.
 Metals, all kinds, in pig, block, ingot, slab, bar, rod, plate, sheet,
 hoop, strip, band, and flat, T and angle iron, old and scrap iron.
 Oil cake.
 Oil, wood ("T'ung yu").
 Paper, common qualities.
 Pepper, unground.
 Pitch and tar.
 Rattans, split or not.
 Scales and balances.
 Seeds, all kinds.
 Soap, common qualities.
 Soy, Chinese and Japanese.
 Twine and thread, all kinds excepting in silk.
 Umbrellas, paper.
 Vegetables, fresh, dried, and salted.
 Wool, sheep's, raw.
 Yarns, all kinds, in cotton, wool, hemp, &c.
 All unenumerated articles, raw or unmanufactured.

CLASS III.

Import Goods subject to an ad valorem Duty of 7½ per cent.

Beverages, such as lemonade, ginger beer, soda and mineral waters.
 Blankets and rugs.
 Buttons, buckles, hooks and eyes, &c.
 Candles.
 Canvas.
 Carpets of jute, hemp, or felt, patent tapestry.
 Cement, as Portland and other kinds.
 Charcoal.
 Chemicals, all kinds.
 Clothing and wearing apparel of all kinds, hats, boots, shoes, &c.
 Cocoons.
 Cordage and rope, all kinds and sizes.
 Cotton manufactures, all kinds.
 Cotton and woollen mixtures, all kinds.
 Cotton and silk mixtures, all kinds.
 Dyes, colours, and paints, paint oils, and materials used for mixing
 paints.
 Earthenware.
 Fans.
 Feathers.
 Felt.
 Fish, dried and salted.
 Floor rugs, all kinds.
 Foil, tin, copper, and all other kinds except gold and silver.
 Fruits, dried, salted, or preserved.
 Gamboge.
 Glass, window, plain and coloured, all quantities.
 Grass cloth and all textiles in hemp, jute, &c.
 Hair, all kinds except human.
 Hides and skins, tanned and dressed.

Isinglass, all kinds.
 Lamps, all kinds.
 Leather, all ordinary kinds, plain.
 Linen, linen and cotton, linen and woollen, linen and silk mixtures, grey, white, or printed.
 Matting, superior quality, Japanese "tatamis," &c.
 Meat, dried and salted.
 Metals, all kinds in pipe and tube, corrugated or galvanized, wire, steel, tin plates, nickel, platina, quicksilver, German silver, tutenague, or white copper, yellow metal, unrefined gold and silver.
 Metal manufactures, all kinds, as nails, screws, tools, machinery, railway plant, and hardware.
 Mosquito netting not made of silk.
 Needles and pins.
 Oils, vegetable, all kinds.
 Oil and floor cloth, all kinds.
 Paper, all kinds, not otherwise provided for.
 Planks, soft wood.
 Porcelain, common quality.
 Rosin.
 Salt.
 Sapan wood.
 Sea products, as seaweed, bêche-de-mer, &c.
 Silk, raw, reeled, thrown floss or waste.
 Silk manufactures not otherwise provided for.
 Spectacles.
 Spirits in jars.
 Stationery and writing materials of all kinds, blank books, &c.
 Stones and slate, cut and dressed.
 Sugar (brown and white), all qualities, molasses, and syrups.
 Sulphur.
 Table stores, all kinds, and preserved provisions.
 Tallow.
 Tea.
 Umbrellas, cotton.
 Umbrella frames.
 Varnish.
 Vermicelli.
 Wax, bees' or vegetable.
 Wax cloth.
 Woods and timber, soft.
 Woollen manufactures, all kinds.
 Woollen and silk mixtures, all kinds.
 All unenumerated articles partly manufactured.

CLASS IV.

Import Goods subject to an ad valorem Duty of 10 per cent.

Beer, porter, and cider.
 Camphor, refined.
 Carmine.
 Carpets, superior qualities, as Brussels, Kidderminster, and other kinds not enumerated.
 Clocks, and parts thereof.
 Clothing made wholly of silk.
 Confectioneries and sweetmeats, all kinds.
 Explosives used for mining, &c. (imported under special permit).
 Foil, gold and silver.
 Furniture of all kinds.
 Glass, plate, silvered or unsilvered, framed or unframed.
 Glassware, all kinds,

Hair, human.
 India-rubber, manufactured or not.
 Lacquered-ware, common.
 Leather, superior kinds, or stamped, figured, or coloured.
 Leather manufactures, all kinds.
 Materials for seals, &c.
 Musical boxes.
 Musical instruments, all kinds.
 Musquito netting made of silk.
 Paper, coloured, fancy, wall and hanging.
 Photographic apparatus.
 Pictures, prints, photographs, engravings, all kinds, framed or unframed.
 Planks, hardwood.
 Plated-ware, all kinds.
 Porcelain, superior quality.
 Saddlery and harness.
 Silk thread, or floss silk in skein.
 Silk manufactures, as gauze, crape, Japanese amber lustrings, satins, satin damasks, figured satins, Japanese white silk ("habutai").
 Soap, superior qualities.
 Sugar candy.
 Telescopes and binocular glasses.
 Tooth powder.
 Trunks and portmanteaux.
 Umbrellas, silk.
 Vermillion.
 Watches and parts thereof in common metal, nickel, or silver.
 Wines in wood or bottle, all kinds.
 Wood or timber, hard.
 All unenumerated articles completely manufactured.

CLASS V.

Import Goods subject to an ad valorem Duty of 20 per cent.

Amber.
 Arms, fire-arms, fowling-pieces, &c., imported under special permit.
 Artificial flowers.
 Birds' nests.
 Carpets, velvet.
 Carriages.
 Cochineal.
 Coral, manufactured or not.
 Embroideries in gold, silver, or silk.
 Enamel-ware.
 Fireworks.
 Furs, superior, as sable, sea otter, seal, otter, beaver, &c.
 Ginseng, red, white, crude, and clarified.
 Hair ornaments, gold and silver.
 Incense, sticks.
 Ivory, manufactured or not.
 Jade-ware.
 Jewellery, real or imitation.
 Lacquered-ware, superior.
 Musk.
 Pearls.
 Perfumes and scents.
 Plate, gold and silver.
 Precious stones.
 Rhinoceros horns.
 Scented woods, all kinds.

Spices, all kinds.
 Spirits and liqueurs in wood or bottle, all kinds.
 Tobacco, all forms and kinds.
 Tortoise shell, manufactured or not.
 Velvet, silk.
 Watches, and parts thereof, in gold and gilt.
 Works of Art.

CLASS VI.

Prohibited Goods.

Adulterated drugs or medicines.

Arms, munitions, and implements of war, as ordnance or cannon, shot and shell, fire-arms of all kinds, cartridges, side-arms, spears, or pikes, saltpetre, gunpowder, gun-cotton, dynamite, and other explosive substances.

The Corean authorities will grant special permits for the importation of arms, fire-arms, and ammunition for purposes of sport or self-defence, on satisfactory proof being furnished to them of the *bond fide* character of the application.

Counterfeit coins, all kinds.

Opium, except medicinal opium.

Foreign ships, when sold in Corea, will pay a duty of 25 cents per ton on sailing-vessels, and 50 cents per ton on steamers.

(L.S.) HARRY S. PARKES.

(L.S.) (Signature in Chinese of MIN YÖNG-MOK,
Corean Plenipotentiary.)

IMPORT TARIFF.

[Arranged Alphabetically.]

No.	Article.	<i>Ad valorem</i> Rate of Duty.
		Per cent.
1	Agricultural implements...	Free
2	Alum ...	5
3	Amber ...	20
4	Anchors and chains ...	5
5	Arms, ammunition, fire-arms, fowling-pieces, or side-arms, imported under special permit of the Corean Government for sporting purposes or for self-defence ...	20
6	Artificial flowers ...	20
7	Bamboo, split or not ...	5
8	Bark for tanning ...	5
9	Beans, peas, and pulse, all kinds ...	5
10	Beer, porter, and cider ...	10
11	Beverages, such as lemonade, ginger beer, soda, and mineral waters ...	7½

No.	Article.	Ad valorem Rate of Duty.
		Per cent.
12	Birds' nests	20
13	Blankets and rugs	7½
14	Bones	5
15	Books, maps, and charts	Free
16	Bricks and tiles	5
17	Bullion, being gold or silver, refined	Free
18	Buttons, buckles, hooks and eyes, &c.	7½
19	Camphor, crude	5
20	„ refined	10
21	Candles	7½
22	Canvas	7½
23	Carmine	10
24	Carpets of jute, hemp, or felt, patent tapestry	7½
25	„ superior quality, as Brussels, Kidderminster, and other kinds not enumerated	10
26	Carpets, velvet	20
27	Carriages	20
28	Cement, as Portland and other kinds	7½
29	Charcoal	7½
30	Chemicals, all kinds	7½
31	Clocks, and parts thereof... ..	10
32	Clothing and wearing apparel, all kinds, hats, boots and shoes, &c.... ..	7½
33	Clothing and wearing apparel, made wholly of silk	10
34	Coal and coke	5
35	Cochineal	20
36	Cocoons	7½
37	Coins, gold and silver	Free
38	Confectioneries and sweetmeats, all kinds	10
39	Coral, manufactured or not	20
40	Cordage and rope, all kinds and sizes	7½
41	Cotton, raw	5
42	Cotton manufactures, all kinds	7½
43	Cotton and woollen mixtures, all kinds	7½
44	Cotton and silk mixtures, all kinds	7½
45	Cutlery, all kinds	7½
46	Drugs, all kinds	5
47	Dyes, colours, and paints, paint oils, and materials used for mixing paints... ..	7½
48	Earthenware	7½
49	Embroideries in gold, silver, or silk	20
50	Enamel-ware	20
51	Explosives used for mining, &c., and imported under special permit... ..	10
52	Fans, all kinds	7½
53	Feathers, all kinds	7½
54	Felt	7½
55	Fire engines	Free
56	Fireworks	20
57	Fish, fresh	5
58	„ dried and salted	7½
59	Flax, hemp, and jute	5
60	Flints	5
61	Floor rugs, all kinds	7½
62	Flour and meal, all kinds	7½

No.	Article.	Ad valorem Rate of Duty.
		Per cent.
63	Foil, gold and silver	10
64	„ tin, copper, and all other kinds	7½
65	Fruit, fresh, all kinds	5
66	„ dried, salted, or preserved	7½
67	Furniture of all kinds	10
68	Furs, superior, as sable, sea otter, seal, otter, beaver, &c.	20
69	Gamboge	7½
70	Ginseng, red, white, crude, and clarified	20
71	Glass, window, plain and coloured, all qualities	7½
72	„ plate, silvered or unsilvered, framed, or un- framed	10
73	Glassware, all kinds	10
74	Glue	5
75	Grain and corn, all kinds	5
76	Grass cloth, and all textiles in hemp, jute, &c.	7½
77	Guano and manures, all kinds	5
78	Hair, all kinds except human	7½
79	„ human	10
80	Hair ornaments, gold and silver	20
81	Hides and skins, raw and undressed	5
82	„ „ tanned and dressed	7½
83	Horns and hoofs, all kinds not otherwise provided for	5
84	Incense sticks	20
85	India-rubber, manufactured or not	10
86	Isinglass, all kinds	7½
87	Ivory, manufactured or not	20
88	Jade-ware	20
89	Jewellery, real or imitation	20
90	Kerosene, or petroleum, and other mineral oils	5
91	Lacquered-ware, common	10
92	„ „ superior	20
93	Lamps, all kinds	7½
94	Lanterns, paper	5
95	Leather, all ordinary kinds, plain	7½
96	„ „ superior kinds, and stamped, figured, or coloured	10
97	„ „ manufactures, all kinds	10
98	Lime	5
99	Linen, linen and cotton, linen and woollen mixtures, linen and silk mixtures, all kinds	7½
100	Matches	5
101	Matting, floor, Chinese, Japanese, coir, &c., common qualities	5
102	„ „ „ superior qualities, Japanese tatamis, &c.	7½
103	Meat, fresh	5
104	„ „ dried and salted	7½
105	Medicines, all kinds not otherwise provided for	5
106	Metals, all kinds, in pig, block, ingot, slab, bar, rod, plate, sheet, hoop, strip, band and flat, T and angle iron, old and scrap iron	5
107	Metals, all kinds, in pipe or tube, corrugated or galvanized, wire, steel, tin-plates, quicksilver, nickel, platina, German silver, yellow metal, tutenagne, or white copper, unrefined gold and silver	7½

No.	Article.	Ad valorem Rate of Duty.
		Per cent.
108	Metal manufacturers, all kinds, as nails, screws, tools, machinery, railway plant, and hardware ...	7½
109	Models of inventions ...	Free.
110	Mosquito netting, not made of silk ...	7½
111	„ „ made of silk ...	10
112	Musical boxes ...	10
113	Musical instruments, all kinds ...	10
114	Musk ...	20
115	Needles and pins ...	7½
116	Oil-cake ...	5
117	Oils, vegetable, all kinds ...	7½
118	Oil, wood ("T'ung yu")... ..	5
119	Oil- and floor-cloth, all kinds ...	7½
120	Packing bags, packing matting, tea-lead, and ropes for packing goods ...	Free.
121	Paper, common qualities ...	5
122	„ all kinds, not otherwise provided for ...	7½
123	„ coloured, fancy, wall, and hanging ...	10
124	Pearls ...	20
125	Pepper, unground ...	5
126	Perfumes and scents ...	20
127	Photographic apparatus ...	10
128	Pictures, prints, photographs, engravings, all kinds, framed or unframed ...	10
129	Pitch and tar ...	5
130	Planks, soft ...	7½
131	„ hard ...	10
132	Plants, trees, and shrubs, all kinds ...	Free.
133	Plate, gold and silver ...	20
134	Plated-ware, all kinds ...	10
135	Porcelain, common qualities ...	7½
136	„ superior qualities ...	10
137	Precious stones, all kinds, set or unset ...	20
138	Rattans, split or not ...	5
139	Rhinoceros horns ...	20
140	Rosin ...	7½
141	Saddlery and harness ...	10
142	Salt ...	7½
143	Samples in reasonable quantities ...	Free.
144	Sapan wood ...	7½
145	Scales and balances ...	5
146	Scented wood, all kinds ...	20
147	Scientific instruments, as physical, mathematical, meteorological, and surgical, and their appliances ...	Free.
148	Seals, materials for ...	10
149	Sea products, as seaweed, bêche-de-mer, &c. ...	7½
150	Seeds, all kinds ...	5
151	Silk, raw, reeled, thrown, floss or waste ...	7½
152	Silk manufactures, as gauze, crape, Japanese amber lustrings, satins, satin damasks, figured satins, Japanese white silk ("habutai") ...	10
153	Silk manufactures not otherwise provided for ...	7½
154	Silk thread and floss silk in skein... ..	10
155	Soap, common qualities ...	5
156	„ superior qualities ...	10

No.	Article.	Ad valorem Rate of Duty.
		Per cent.
157	Soy, Chinese and Japanese	5
158	Spectacles	7½
159	Spices, all kinds	20
160	Spirits, in jars	7½
161	Spirits and liqueurs, in wood or bottle, all kinds	20
162	Stationery and writing materials, all kinds, blank books, &c.	7½
163	Stones and slate, cut and dressed	7½
164	Sugar, brown and white, all qualities, molasses and syrops	7½
165	Sugar candy	10
166	Sulphur	7½
167	Table stores, all kinds, and preserved provisions	7½
168	Tallow	7½
169	Tea	7½
170	Telescopes and binocular glasses	10
171	Tobacco, all kinds and forms	20
172	Tortoise shell, manufactured or not	20
173	Tooth powder	10
174	Travellers' baggage	Free.
175	Trunks and portmanteaux	10
176	Twine and thread, all kinds, excepting in silk	5
177	Types, new and old	Free.
178	Umbrellas, paper	5
179	„ cotton	7½
180	„ silk	10
181	Umbrella frames	7½
182	Varnish	7½
183	Vegetables, fresh, dried, and salted	5
184	Velvet, silk	20
185	Vermicelli	7½
186	Vermilion	10
187	Watches, and parts thereof, in common metal, nickel, or silver	10
188	„ in gold or gilt	20
189	Wax, bees' or vegetable	7½
190	„ cloth	7½
191	Wines in wood or bottle, all kinds	10
192	Wood and timber, soft	7½
193	„ hard	10
194	Wool, sheep's, raw	5
195	Woollen manufactures, all kinds	7½
196	Woollen and silk manufactures, all kinds	7½
197	Works of Art	20
198	Yarns, all kinds, in cotton, wool, hemp, &c.	5
	All unenumerated articles, raw or unmanufactured	5
	„ „ partly manufactured	7½
	„ „ completely manufactured	10
	Foreign ships, when sold in Corea, will pay a duty of 25 cents per ton on sailing-vessels and 50 cents per ton on steamers.	

Prohibited Goods.

Adulterated drugs or medicines.

Arms, munitions, and implements of war, as ordnance or cannon, shot and shell, fire-arms of all kinds, cartridges, side-arms, spears or pikes, saltpetre, gunpowder, gun-cotton, dynamite, and other explosive substances. The Korean authorities will grant special permits for the importation of arms, fire-arms, and ammunition for purposes of sport or self-defence, on satisfactory proof being furnished to them of the *bonâ fide* character of the application.

Counterfeit coins of all kinds.

Opium, except medicinal opium.

EXPORT TARIFF.

Class I.—Duty free export goods :—

Bullion, being gold and silver refined ; coins, gold and silver, all kinds ; plants, trees and shrubs, all kinds ; samples, in reasonable quantity ; travellers' baggage.

Class II.—All other native goods or productions not enumerated in Class I will pay an *ad valorem* duty of 5 per cent.

The exportation of red ginseng is prohibited.

RULES.

1. In the case of imported articles the *ad valorem* duties of this Tariff will be calculated on the actual cost of the goods at the place of production or fabrication, with the addition of freight, insurance, &c. In the case of export articles the *ad valorem* duties will be calculated on market value in Corea.

2. Duties may be paid in Mexican dollars or Japanese silver yen.

3. The above Tariff of import and export duties shall be converted, as soon as possible, and as far as may be deemed desirable, into specific rates by agreement between the competent authorities of the two countries.

(L.S.) HARRY S. PARKES.

(L.S.) (Signature in Chinese of MIN YÖNG-MOK,
Corean Plenipotentiary.)

PROTOCOL.

The above-named Plenipotentiaries hereby make and append to this Treaty the following three declarations:—

British Extraterritorial Jurisdiction in Corea.

1. With reference to Article III of this Treaty, it is hereby declared that the right of extra-territorial jurisdiction over British subjects in Corea, granted by this Treaty shall be relinquished when, in the judgment of the British Government, the laws and legal procedure of Corea shall have been so far modified and reformed as to remove the objections which now exist to British subjects being placed under Korean jurisdiction, and Korean Judges shall have attained similar legal qualifications and a similar independent position to those of British Judges.

Right to open Commercial Establishments at Hanyang.

2. With reference to Article IV of this Treaty, it is hereby declared that if the Chinese Government shall hereafter surrender the right of opening commercial establishments in the city of Hanyang, which was granted last year to Chinese subjects, the same right shall not be claimed for British subjects, provided that it be not granted by the Korean Government to the subjects of any other Power.

Application of Treaty to British Colonies.

3. It is hereby declared that the provisions of this Treaty shall apply to all British Colonies, unless any exception shall be notified by Her Majesty's Government to that of Corea within one year from the date in which the ratifications of this Treaty shall be exchanged.

And it is hereby further stipulated that this Protocol shall be laid before the High Contracting Parties simultaneously with this Treaty, and that the ratification of this Treaty shall include the confirmation of the above three declarations, for which, therefore, no separate act of ratification will be required.

In faith of which the above-named Plenipotentiaries have this day signed this Protocol, and have thereto affixed their seals.

Done at Hanyang, this twenty-sixth day of November, in the year eighteen hundred and eighty-three, corresponding to the twenty-seventh day of the tenth month of the four hundred and ninety-second year of the Korean era, being the ninth year of the Chinese reign Kuang Hsü.

(L.S.) HARRY S. PARKES.

(L.S.) (Signature in Chinese of MIN YÖNG-MOK,
Corean Plenipotentiary.)

COSTA RICA.

No. 45.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION, BETWEEN GREAT BRITAIN AND COSTA RICA.

*Signed at San José, November 27, 1849.**

[*Ratifications exchanged at London, February 20, 1850.*]

In the Name of the Most Holy Trinity.

EXTENSIVE commercial intercourse having been established for some time between the territories, dominions, and settlements of Her Britannic Majesty and the Republic of Costa Rica, it seems good for the security as well as the encouragement of such commercial intercourse, and for the maintenance of good understanding between Her said Britannic Majesty and the said Republic, that the relations now subsisting between them should be regularly acknowledged and confirmed by the signature of a Treaty of Amity, Commerce, and Navigation;

For this purpose they have named their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Frederick Chatfield, Esq., Chargé d'Affaires of Her Britannic Majesty at Guatemala;

And his Excellency the President of the Republic of Costa Rica, Don Joaquin Bernardo Calvo, Minister of State and for Foreign Affairs;

Who, after having communicated to each other their full powers, found to be in due and proper form, have agreed upon and concluded the following Articles:

* Signed also in Spanish.

ARTICLE I.

Friendship.

There shall be perpetual amity between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, and her and their subjects, and the Government of the Republic of Costa Rica and its citizens.

ARTICLE II.

Freedom of Commerce, Navigation, and Residence.—Hiring, &c., of Houses and Warehouses.

There shall be between all the territories, dominions, and settlements of Her Britannic Majesty in Europe, and the territories of the Republic of Costa Rica, a reciprocal freedom of commerce. The subjects and citizens of the two countries, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the territories, dominions, and settlements aforesaid, to which other foreigners are or may be permitted to come; to enter into the same, and to remain and reside in any part thereof, respectively; also to hire and occupy houses and warehouses for the purposes of their commerce; and, generally, the merchants and traders of each nation, respectively, shall enjoy the most complete protection and security for their commerce, subject always to the laws and statutes of the two countries, respectively.

Vessels of War and Mail Packets.

In like manner, the respective ships of war and post office packets of the two countries shall have liberty freely and securely to come to all harbours, rivers, and places, to which other foreign ships of war and packets are or may be permitted to come; to enter into the same, to anchor, and to remain there and refit, subject always to the laws and statutes of the two countries, respectively.

Coasting Trade reserved.

By the right of entering the places, ports, and rivers mentioned in this Article, the privilege of carrying on the coasting trade is not understood, in which trade national vessels only are permitted to engage.

ARTICLE III.

Freedom of Commerce and Navigation in British Dominions, &c., out of Europe.—Most-favoured-nation Treatment.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland engages further, that the inhabitants of the Republic of Costa Rica shall have the like liberty of commerce and navigation stipulated for in the preceding Article, in all her territories, dominions, and settlements situated out of Europe, to the full extent to which the same is permitted at present, or shall be permitted hereafter, to any other nation.

ARTICLE IV.

Commerce and Navigation.—Most-favoured-nation Treatment.

It being the intention of the two High Contracting Parties to bind themselves by the two preceding Articles to treat each other on the footing of the most favoured nation, it is hereby agreed between them, that any favour, privilege, or immunity whatever, in matters of commerce and navigation, which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the subjects or citizens of the other High Contracting Party, gratuitously, if the concession in favour of that other nation shall have been gratuitous; or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

ARTICLE V.

[Terminated on November 26, 1897.]

ARTICLE VI.

[Terminated on November 26, 1897.]

ARTICLE VII.

[Terminated on November 26, 1897.]

ARTICLE VIII.

Transaction of Business.—Employment of Agents, &c.—Fixation of Prices of Goods.—National Treatment.

All merchants, commanders of ships, and others, the subjects of Her Britannic Majesty, shall have full liberty in all the

territories of the Republic of Costa Rica, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as broker, factor, agent, or interpreter; nor shall they be obliged to employ any other persons in those capacities than those employed by Costa Ricans, nor to pay them any other salary or remuneration than such as is paid in like cases by Costa Rican citizens; and absolute freedom shall be allowed in all cases to the buyer and seller to bargain and fix the price of any goods, wares, or merchandize imported into, or exported from, the Republic of Costa Rica, as they shall see good, observing the laws and established customs of the country. The same privileges shall be enjoyed in the territories, dominions, and settlements of Her Britannic Majesty, by the citizens of the Republic of Costa Rica under the same conditions.

*Protection of Persons and Property.—Access to Law Courts.—
Employment of Lawyers.—National Treatment.*

The subjects and citizens of the High Contracting Parties shall reciprocally receive and enjoy full and perfect protection for their persons and property, and shall have free and open access to the Courts of Justice in the said countries, respectively, for the prosecution and defence of their just rights; and they shall be at liberty to employ in all causes the advocates, attorneys, or agents of whatever description, whom they may think proper; and they shall enjoy in this respect the same rights and privileges therein as native subjects or citizens.

ARTICLE IX.

*Police of the Ports.—Loading and Unloading of Vessels.—Succession to and Disposal of Property.—Administration of Justice.—
Imposts, &c.—National Treatment.*

In whatever relates to the police of the ports, the lading and unlading of ships, the safety of merchandize, goods, and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination, by sale, donation, exchange, testament, or in any other manner whatsoever, as also the administration of justice; the subjects and citizens of the two High Contracting Parties shall reciprocally enjoy the same privileges, liberties, and rights, as native subjects or citizens; and they shall not be charged in any of these respects with any higher impost or duties than those which are paid, or may be paid, by native subjects or citizens; submitting, of course, to the local laws and regulations of each country, respectively.

Intestate Estates.

If any subject or citizen of either of the two High Contracting Parties shall die without will or testament in any of the territories, dominions, or settlements of the other, the Consul-General or Consul of the nation to which the deceased belonged, or the representative of such Consul-General or Consul, in his absence, shall have the right to nominate curators to take charge of the property of the deceased, so far as the laws of the country will permit, for the benefit of the lawful heirs and creditors of the deceased; giving proper notice of such nomination to the authorities of the country.

ARTICLE X.

*Exemption from Military Service, Forced Loans, &c.—
Taxes, &c.—National Treatment.*

The subjects of Her Britannic Majesty residing in the Republic of Costa Rica, and the citizens of the Republic of Costa Rica residing in any of the territories, dominions, or settlements of Her Britannic Majesty, shall be exempted from all compulsory military service whatsoever, either by sea or by land, and from all forced loans or military exactions or requisitions; and they shall not be compelled, under any pretext whatsoever, to pay other ordinary charges, requisitions, or taxes, greater than those that are paid by native subjects or citizens of the Contracting Parties, respectively.

ARTICLE XI.

*Appointment and Privileges of Diplomatic and Consular
Officers.—Most-favoured-nation Treatment.*

It shall be free for each of the two High Contracting Parties to appoint Consuls for the protection of trade, to reside in any of the territories, dominions, and settlements of the other Party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the High Contracting Parties may except from the residence of Consuls such particular places as they judge fit to be excepted. The Costa Rican Diplomatic Agents and Consuls shall enjoy in the territories, dominions, and settlements of Her Britannic Majesty, whatever privileges, exemptions, and immunities are or shall be granted to Agents of the same rank belonging to the most favoured nation; and in like manner, the Diplomatic Agents and Consuls of Her Britannic Majesty in the Costa Rican

territories shall enjoy, according to the strictest reciprocity, whatever privileges, exemptions, and immunities are or may be granted in the territories of the Republic of Costa Rica, to the Diplomatic Agents and Consuls of the most favoured nation.

ARTICLE XII.

Rupture of Friendly Relations.—Position of Persons and Property.—National Treatment.

For the better security of commerce between the subjects of Her Britannic Majesty and the citizens of the Republic of Costa Rica, it is agreed that if at any time any interruption of friendly intercourse, or any rupture, should unfortunately take place between the two High Contracting Parties, the subjects or citizens of either of the two High Contracting Parties who may be within any of the territories, dominions, or settlements of the other, shall, if residing upon the coasts, be allowed six months, and if in the interior, a whole year, to wind up their accounts and dispose of their property; and a safe conduct shall be given them to embark at the port which they themselves shall select; and even in the event of a rupture all such subjects or citizens of either of the two High Contracting Parties who are established in any of the territories, dominions, and settlements of the other, in the exercise of any trade or special employment, shall have the privilege of remaining and of continuing such trade and employment therein, without any manner of interruption, in the full enjoyment of their liberty and property, as long as they behave peaceably, and commit no offence against the laws; and their goods and effects, of whatever description they may be, whether in their own custody or intrusted to individuals or to the State, shall not be liable to seizure or sequestration, nor to any other charges or demands than those which may be made upon the like effects or property belonging to the native subjects or citizens of the country in which such subjects or citizens may reside. In the same case, debts between individuals, property in public funds, and shares of companies, shall never be confiscated, sequestered, nor detained.

ARTICLE XIII.

Protection of Persons and Property.—Liberty of Conscience.—Freedom of Religious Worship.—Burials.

The subjects of Her Britannic Majesty, and the citizens of the Republic of Costa Rica, respectively, residing in any of the territories, dominions, or settlements of the other Party, shall enjoy, in their houses, persons and properties, the protection

of the Government, and shall continue in possession of the guarantees which they now enjoy. They shall not be disturbed, molested, or annoyed in any manner on account of their religious belief, nor in the proper exercise of their religion, either within their own private houses, or in the places of worship destined for that purpose, agreeably to the system of tolerance established in the territories, dominions, and settlements of the two High Contracting Parties: Provided they respect the religion of the nation in which they reside, as well as the constitution, laws, and customs of the country. Liberty shall also be granted to bury the subjects or citizens of either of the two High Contracting Parties who may die in the territories, dominions, or settlements aforesaid, in burial places of their own, which in the same manner may be freely established and maintained; nor shall the funerals or sepulchres of the dead be disturbed in any way or upon any account.

ARTICLE XIV.

Slave Trade.

The Government of the Republic of Costa Rica, in order to co-operate with Her Britannic Majesty for the total abolition of the Slave Trade, engages to execute perfectly the laws of the said Republic, which prohibit in the most effectual manner all persons inhabiting within the territories of the Republic of Costa Rica, or in places subject to their jurisdiction, from taking any share in such trade.

ARTICLE XV.

Reciprocal Right to Terminate Articles V, VI, and VII of this Treaty.

In order that the two High Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective subjects and citizens, it is agreed that at any time after the expiration of seven years from the date of the exchange of the ratifications of the present Treaty, either of the High Contracting Parties shall have the right of giving to the other Party notice of its intention to terminate Articles V, VI, and VII of the present Treaty; and that at the expiration of twelve months after such notice shall have been received by either Party from the other, the said Articles, and all the stipulations contained therein, shall cease to be binding on the two High Contracting Parties.

ARTICLE XVI.

Ratifications.

The present Treaty shall be ratified, and the ratifications shall be exchanged at London or at San José de Costa Rica, within the space of eight months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at San José, this twenty-seventh day of November, in the year of our Lord one thousand eight hundred and forty-nine.

(L.S.) FREDK. CHATFIELD.

(L.S.) JQ. BERN^{DO}. CALVO.

No. 46.

CONVENTION BETWEEN GREAT BRITAIN AND COSTA RICA FOR THE
RECIPROCAL PROTECTION OF TRADE-MARKS, &C.

*Signed at Guatemala, March 5, 1898.**

[*Ratifications exchanged at London, September 29, 1900.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and his Excellency Señor Don Rafael Iglesias, President of the Republic of Costa Rica, desiring to conclude a Convention for the reciprocal protection of trade-marks and designs, have appointed as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, George Francis Birt Jenner, Esq., Her Britannic Majesty's Minister Resident in Central America, &c., &c., and

His Excellency Señor Don Rafael Iglesias, President of the Republic of Costa Rica, Honourable Señor Don Ricardo Villafraña y Bonilla, Consul-General of the Republic of Costa Rica at Guatemala:

* Signed also in Spanish.

Who, having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Protection of Trade-marks.—National Treatment.

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as are now granted, or may hereafter be granted, to subjects or citizens in all that relates to trade-marks, industrial designs, and patterns.

In order that such rights may be obtained, the formalities required by the laws of the respective countries must be fulfilled.

ARTICLE II.

Application of Convention to British Colonies.

The stipulations of the present Convention shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is say, except to—

India.
The Dominion of Canada.
Newfoundland.
The Cape of Good Hope.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always that the stipulations of the present Convention shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Majesty's Representative to the President of the Republic of Costa Rica within one year from the date of the exchange of ratifications of the present Convention.

ARTICLE III.

Ratification.

The present Convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible.

It shall come into operation one month after the exchange of ratifications, and shall remain in force until the expiration of one year from the day on which either Party may give notice of its intention to terminate it.

In witness whereof the undersigned Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done in duplicate at Guatemala, the 5th day of March, 1898.

(L.S.) G. JENNER.
(L.S.) RIC. VILLAFRANCA.

LIST OF BRITISH COLONIES WHICH HAVE ACCEDED TO THIS CONVENTION:

Natal.
New South Wales.
New Zealand.
Queensland.
South Australia.
Tasmania.
Victoria.
Western Australia.

CUBA.

No. 47.

ACCESSION OF CUBA TO THE INDUSTRIAL PROPERTY CONVENTION,
1883, &c.

October 17 (21), 1904.

(No. 1.)

M. Carlin to the Marquess of Lansdowne.—(Received October 22.)

Légation de Suisse à Londres,

M. le Marquis,

le 17 (21) Octobre, 1904.

PAR une note en date du 22 Septembre dernier, le Secrétaire d'État de la République de Cuba a fait part à mon Gouvernement de l'adhésion de ce pays à l'Union pour la Protection de la Propriété Industrielle régie par la Convention du 20 Mars, 1883, le Protocole du 15 Avril, 1891, et l'Acte Additionnel du 14 Décembre, 1900, en l'informant que le Gouvernement Cubain se réservait d'adhérer ultérieurement à l'Arrangement relatif à l'enregistrement international des marques de fabrique ou de commerce et à celui concernant la répression des fausses indications de provenance.

Aucune date spéciale n'ayant été indiquée pour l'entrée en vigueur de la Convention en ce qui concerne les rapports entre Cuba et les autres États Unionistes, il y a lieu d'appliquer les dispositions de l'Article XVI révisé de la Convention, aux termes duquel cette dernière produit ses effets un mois après que la notification de l'adhésion a été faite par le Gouvernement Suisse aux autres États Unionistes. Il en résulte que la Convention entrera en vigueur en ce qui concerne Cuba le 17 Novembre prochain.

La classe dans laquelle la République de Cuba devra être rangée pour sa contribution aux frais du Bureau International de l'Union sera indiquée par celui-ci dans son organe officiel "La Propriété Industrielle" et dans son Rapport de gestion.

Sur l'ordre de mon Gouvernement, je m'empresse de porter ce qui précède à la connaissance de votre Seigneurie, en la priant de bien vouloir consentir à me donner acte de cette communication.

Veuillez, &c.
(Signé) CARLIN.

(No. 2.)

The Marquess of Lansdowne to M. Carlin.

Sir,

Foreign Office, October 31, 1904.

I HAVE the honour to acknowledge the receipt of your note of the 17th (21st) instant, stating that, on the 22nd ultimo, the Government of Cuba notified to the Swiss Government the accession of Cuba to the Union for the Protection of Industrial Property, so far as regards the Convention of the 20th March, 1883, the Protocol of the 15th April, 1891, and the Additional Act of the 14th December, 1900, while reserving to themselves the right of accession at a later date to the Arrangements respecting the international registration of trade-marks and the prevention of false indications of origin of goods.

I note that no special date having been mentioned for the coming into force of the Convention so far as regards the relations between Cuba and the other States of the Union, the Convention will, in accordance with Article XVI of the revised Convention, take effect one month after the date of the notification made by the Swiss Government to the other States of the Union, viz., on the 17th November next.

I also note that the class in which Cuba will rank with respect to its contribution to the expenses of the International Bureau will be specified in the official organ of the Union, "*La Propriété Industrielle*," and in its official Report.

I have, &c.

(Signed) LANSDOWNE.

No. 48.

ACCESSION OF CUBA TO ARRANGEMENTS RESPECTING FALSE INDICATIONS OF ORIGIN ON GOODS AND THE INTERNATIONAL REGISTRATION OF TRADE-MARKS (INDUSTRIAL PROPERTY UNION).

December 1 (9), 1904.

(No. 1.)

*M. de Salis to the Marquess of Lansdowne.—(Received December 10.)**Légation de Suisse à Londres,*

M. le Marquis,

le 1^{er} (9) Décembre, 1904.

SUR l'ordre de mon Gouvernement, j'ai l'honneur de faire savoir à votre Seigneurie que le Ministre d'État et de la Justice de la République Cubaine a notifié au Conseil Fédéral, en date du 7 Novembre dernier, l'accession de son Gouvernement aux Arrangements concernant—

1. La répression des fausses indications de provenance; et

2. L'enregistrement international des marques de fabrique et de commerce ;

Arrangements signés à Madrid le 14 Avril, 1891, et dont le second a été complété par un Acte Additionnel signé à Bruxelles le 14 Décembre, 1900.

Aucune date spéciale n'ayant été indiquée pour l'entrée en vigueur des deux Arrangements précités dans les rapports entre Cuba et ceux des autres États qui ont adhéré à ces Actes, il y a lieu d'appliquer par analogie les dispositions de l'Article XVI de la Convention d'Union, aux termes duquel celle-ci produit ses effets un mois après la notification faite par le Gouvernement Suisse à ceux des autres États Contractants. Il en résulte que les deux Actes en question entreront en vigueur, en ce qui concerne Cuba, le 1^{er} Janvier prochain.

Il a été, en même temps, porté à la connaissance du Conseil Fédéral que la République de Cuba doit être rangée parmi les États de la sixième classe au point de vue de sa participation aux frais du Bureau International.

En priant votre Seigneurie de vouloir bien prendre acte de ce qui précède, je saisis, &c.

(Signé) F. DE SALIS.

(No. 2.)

The Marquess of Lansdowne to M. de Salis.

Sir, *Foreign Office, December 19, 1904.*

I HAVE the honour to acknowledge the receipt of your note of the 9th instant, notifying the accession of Cuba to the Arrangements respecting—

1. The prevention of false indications of origin ; and
 2. The international registration of trade-marks ;
- which were signed at Madrid the 14th April, 1891, and of which the second has been completed by the Additional Act signed at Brussels the 14th December, 1900.

You state that, no special date having been indicated for the coming into force of these Arrangements so far as regards Cuba, the provisions of Article XVI of the Union Convention, according to which the latter takes effect one month after the notification made by the Swiss Government to the other Contracting States, must, by analogy, be made applicable, and that consequently the Arrangement will come into force with respect to Cuba on the 1st January next.

I also note that Cuba will rank among the States of the sixth class with regard to its contribution to the expenses of the International Office.

In thanking you for this communication, I have, &c.

(Signed) LANSDOWNE.

DENMARK.

No. 49.

TREATY OF PEACE AND COMMERCE BETWEEN GREAT BRITAIN AND DENMARK.

Signed at Whitehall, February 13, 1660-1.

(Extract.)
(Translation.)

ARTICLE I.

Friendship.—Peace.—Alliance.

It is covenanted, accorded, and concluded, that there be a sincere, true, and perfect Friendship, Peace, and Alliance for ever, between both the Kings, their Heirs and Successors, Kingdoms, Provinces, and Principalities, Subjects and Vassals, of what condition, dignity, and degree soever, as well those who now are, as who hereafter shall be, both by land and sea, in rivers, fresh waters, and everywhere; so as they neither do wrong one to the other, nor the one cause any damage or harm to the Kingdoms, Provinces, Subjects, and Vassals of the other, nor as much as in them lies suffer or consent that the like be done by other Persons; but that they adhere each to other in sincere amity and love, and that the one promote to his uttermost the advantage and commodity of the other, and of each other's Subjects respectively as his own; but that they hinder and prevent each other's losses and destruction, both by fact, counsels, and all their power.

ARTICLE II.

Anything to the prejudice of either State to be made known by one to the Other.

But if either of the foresaid Kings, their Heirs and Successors, shall come to know that anything is negotiated, desired, or treated, which may turn to the prejudice of the other, then

he shall be bound, as soon as ever the same is made known unto him, to discover it to the other, and, as much as in him lies, to hinder it.

ARTICLE III.

No Assistance to be given by either State to the Enemies of the Other.

The foresaid Kings do religiously promise for themselves, their Heirs and Successors respectively, that they will not at any time give any warlike aid or supplies to the Enemies of each other, nor suffer that their Subjects, of what state and condition soever they be, shall, either under the pretence of trade or any other borrowed colour whatsoever, by any means help the Enemies of the said Princes, or of either of them, nor furnish them with Soldiers, money, provisions, arms, engines, guns, ships and other things fit and necessary for waging War, nor cause the same to be furnished by others; but if any the Subjects of the said Kings shall presume to offend herein, then every of the Kings whose Subjects shall have so offended, shall be bound to inflict most severe punishments upon them, as League-breakers and seditious Persons.

ARTICLE V.

Neither State shall harbour Enemies of the Other.

It is also agreed, that neither of the foresaid Kings shall harbour, or suffer in his Kingdoms or Provinces, the Enemies or Rebels of the other, knowing them to be such.

ARTICLE VI.

Freedom of Commerce.

It shall be free for the Subjects of both Kings to come with their merchandize, as well by land as by sea, into the Kingdoms, Provinces, Mart-towns, Ports, and Rivers of the other, and there to converse and trade, paying the usual Customs and Duties, saving always the Sovereignty and right of either King, in their Kingdoms, Provinces, Principalities, and Territories, respectively.

ARTICLE VII.

Prohibition of British Subjects to enter Certain Ports.

It is also covenanted, accorded, and concluded, that the Subjects of the Most Serene King of Great Britain, may in no

wise come unto forbidden Ports, (whereof mention is made in former Treaties,) without the special licence of the King of Denmark and Norway, desired and obtained, unless evident danger of the Sea, or violence of storms, shall force them to approach or enter; where then it shall in no case be lawful for them to trade or merchandize.

ARTICLE VIII.

Wrecks and Salvage.

It is also covenanted, accorded, and concluded, that in case any one suffer Shipwreck upon the Coasts of the other King, he may freely challenge, and lay claim to the broken and wreckt Vessel, with the goods, (saving the right of any place whatsoever,) neither shall anything be a prejudice or hindrance to him therein; but rather the Inhabitants of the place shall be obliged, if it be desired of them, to be aiding to him who hath suffered Shipwreck, upon reasonable consideration for their labour, to recover such things as can be saved of the Wreck.

ARTICLE IX.

Punishment of Subjects of One State for Injuries to Subjects of the Other.

If the Subjects of either King be wronged, injured, or endamaged in the Territory of the other, then the King of that place where the wrong is offered, shall take care that speedy justice be done according to the rights and accustomed Laws of the Country, and that due punishment be inflicted upon those who have committed the offence or injury, with reparation to be made unto the suffering Parties.

ARTICLE X.

Private Injuries not to affect Treaty.

No private injury shall in any sort weaken this Treaty, nor beget hatred or dissensions between the foresaid Nations; but every one shall answer for his own proper fact, and shall be prosecuted thereupon; neither shall one Man satisfy for the offence of another by reprisals, or other such like odious proceedings, unless justice be denied, or unreasonably delayed, in which case it shall be lawful for that King, whose Subject hath suffered the loss and injury, to take any course according to

the rules and method of the Law of Nations, until reparation be made to the sufferer.

ARTICLE XI.

Amicable Settlement of Differences between Two States.

The foresaid Kings have also covenanted, that if hereafter (which yet we hope will not be, and pray that God of his mercy would prevent) there should happen to arise any dissensions or differences between these Kings or Kingdoms, endeavours shall be used, that the same may be composed in an amicable way ; nor shall this present League be therefore any way abolished or made void.

ARTICLE XII.

Maintenance of Former Treaties.

It is further agreed, that by no Agreements, Covenants, Articles, or Clauses contained in this present Treaty, former Treaties or Leagues heretofore made between the foresaid Confederates, or their Royal Predecessors, as well for the Realms of England, Scotland, and Ireland, as for the Hereditary Kingdoms of Denmark and Norway respectively, be no way deemed to be taken away or abrogated, but that they remain perpetually in their ancient force, stability and vigour, so far forth as they are not contrary or repugnant to the present Treaty, or to any of the Articles therein contained.

ARTICLE XIII.

Customs and other Duties, Fishing and Trading.—Residence.— Most-favoured-nation Treatment.—Sweden excepted.

It is also covenanted and concluded that the People and Subjects of the King of England, Scotland, France and Ireland, sailing unto any the Hereditary Kingdoms, Principalities, or Dominions of the King of Denmark and Norway, or exercising merchandize therein, shall pay neither more nor greater Customs, Tributes, Tolls, and other Duties, nor in other manner than as the People of the United Provinces of The Netherlands, and other Strangers (the Swedes only excepted) trading thither, and paying less Customs, do or shall pay ; and that as well in going, returning, and staying, as also in fishing and trading, they shall enjoy the same liberties, immunities, and privileges which the People of any Foreign Nation whatsoever,

abiding or trading in the said Kingdoms and Dominions of the King of Denmark and Norway do or shall enjoy. On the other side, the People and Subjects of the King of Denmark and Norway shall use and enjoy the same privileges in the Countries and Dominions of the King of England; to wit, that the People and Subjects of the King of Denmark and Norway sailing unto any the Kingdoms, Principalities, or Dominions of the King of England, or exercising merchandize therein, shall pay neither more nor greater Customs, Tributes, Tolls, and other Duties, nor in any other manner than as the People of the United Provinces of The Netherlands, or other Strangers trading thither, and paying less Customs, do or shall pay, and that as well in going, returning, and staying, as also in fishing and trading, they shall enjoy the same liberties, immunities, and privileges which the People of any Foreign Nation whatsoever, abiding or trading in the said Kingdoms and Dominions of the King of England, do or shall enjoy. But so that the Sovereign Power of both Kings, in their Kingdoms, Principalities, Dominions, and Ports respectively, to appoint and change Customs and any other matters according to the occasion, be preserved, and remain inviolate: Provided the said equality be strictly observed on either part in manner aforesaid.

ARTICLE XIV.

Vessels in Distress.

It is also agreed, that in case the Subjects and inhabitants of either of the Confederates, with their Shipping (either by reason of Pirates chasing them, or by stress of weather, or by any other inconvenience) be forced to repair into the Rivers, Creeks, Bays, or Ports, of the other Confederate, there to seek harbour, they shall be kindly and courteously used by the Magistrate and Inhabitants of such place; and it shall be lawful for them to provide themselves, at a reasonable price, with those things which shall be necessary for the repairing of their Ships, and freely to depart again without any hindrance or search, and paying no Tolls and Customs: Provided they do not carry out of their Ship or Ships, any goods or packs, nor expose them to sale, nor have or receive on board Persons guilty or suspected of any crime, or prohibited goods, nor finally do anything repugnant to the Laws, Statutes, or customs of that Place and Port where they shall arrive.

ARTICLE XV.

Wrecks and Salvage.

If it shall happen that the Ships of either of the Confederates, and of their Subjects and Inhabitants (whether they be Ships

of War or of burthen) do run aground, or split upon rocks, or by any accident whatsoever suffer Shipwreck (which God forbid) upon or about the Coasts of the other, the aforesaid Ships, with all their tackle, goods, and merchandize, or whatsoever remains of them, shall be restored to their Owners and Proprietors, provided they, or their Commissioners or Deputies, challenge and claim the Ships or goods within the space of one year after the Wreck hath happened, (saving always the rights and customs of every Nation whatsoever:) also the Subjects and Inhabitants dwelling upon such Shores and Coasts shall be obliged to succour them in their danger, and help them as much as they are able, and shall use all diligence, either to deliver the Ship, or save the goods, merchandize, tackle, and other things that may be preserved, which are to be conveyed into some safe place, that they may be restored to the Owners; yet paying to those Persons, by whose pains and care the goods shall be recovered and kept, the expences and recompences which they shall deserve.

ARTICLE XVI.

Administration of Justice.

Each Party shall, in all causes and controversies now depending, or hereafter to commence, cause justice and right to be speedily administered to the Subjects and People of the other Party, according to the Laws and Statutes of each Country, without tedious and unnecessary delays and charges.

ARTICLE XVII.

Exemption of British Vessels from Tolls, &c., on River Elbe.

It is also covenanted and agreed, that all Ships belonging to English Subjects and Inhabitants, together with their ladings and merchandize, sailing by the Fort of Gluckstadt, or other Towns and places under the King of Denmark's Dominions, situate upon the River of Elbe, shall, both in going and coming back, be free and exempt from all Custom, Toll, search, stop, and molestation, except only the case of search in time of War, when the King of Denmark shall be in hostility with any other Prince or State.

ARTICLE XVIII.

Timber Trade.

It is also agreed, that firs, masts, and other sorts of timber, after once they are laden upon the Ships of the English

Subjects or Inhabitants, shall be no further subject to be visited, but all visits and searches shall be made before, and if then either oak or other prohibited timber be found, they shall forthwith be stopped upon the place before they be brought on board; neither shall the persons or goods of the People of the King of England, or of his Subjects, be for that cause any way molested, either by arrest, or any other kind of detention; but the Subjects only of the King of Denmark who shall have presumed to sell or alienate such like prohibited timber, shall be punished for the offence after the accustomed manner; and the People and Subjects of the King of England shall have, possess, and enjoy all and singular the things contained and granted in this Article, without any molestation and interruption, so long and during all the time that the Subjects or any of the People of the United Provinces of The Netherlands have, possess, and enjoy, or ought, or might have, possess, or enjoy the same, or the like, by any Treaty, Covenant, Agreement, or permission whatsoever made or to be made.

ARTICLE XIX.

Suppression of Piracy.

For the greater security of trade and freedom of navigation, it is covenanted and agreed that neither Party shall, (as much as is possible, and as far as they are able,) suffer open Pirates, or other Robbers of that kind, to make their retreats in the Ports of either's Kingdom or Country, or shall permit any of the Inhabitants or People of either to harbour or relieve them, or any way assist them, but on the contrary shall use means that the foresaid Pirates and Robbers, and their Partners and Abettors, may be apprehended, and suffer condign punishment, and that the Ships and goods (so much of them as can be found) may be restored to their lawful Owners or their Attornies, so as their right be made to appear by due and legal proof in the Court of Admiralty for Maritime Causes.

ARTICLE XX.

Freedom of Access to Ports, &c., by Merchant-Vessels and Vessels of War.

It is covenanted and agreed that the Subjects and People of either Party shall always have free access to the Ports and Coasts of the other Confederate; and it shall be lawful for them to abide there, and thence to depart again, and also to pass through the Seas and Territories whatsoever of either

King respectively, (doing no damage or prejudice,) not only with Merchant Ships, but also with Men-of-War, whether they be Public or belong to those who shall have obtained Private Commissions, and whether they come through violence of the weather or to avoid the danger of the sea, or to repair their Ships, or buy provisions, so as they exceed not the number of six Men-of-War, if they come in of their own accord, nor stay longer in or about the Ports than will be requisite to repair their ships, and furnish themselves with victuals or other necessaries: and if upon occasion they would approach such Ports with a greater number of Men-of-War, they shall by no means be permitted to enter, unless timely notice of their coming be first given by Letter, and leave obtained of those to whom the foresaid Ports belong; but if they be driven by violence of storm, or other urgent necessity, to seek shelter, in such case, without any notice given beforehand, the Ships shall not be restrained to a certain number, but with this condition, that their Commander shall, immediately upon their arrival, acquaint the Chief Magistrate or the Governor of that Place, Port, or Coast where they arrive, with the cause of their coming, neither shall he stay longer there than the Chief Magistrate or Governor will permit, and shall neither do nor attempt any hostile act in the Ports whereinto he shall repair, nor anything prejudicial to that Ally unto whom the Ports belong.

ARTICLE XXI.

Vessels, &c., only to be adjudged Prizes by Admiralty Courts.

It is also covenanted that no Ships, or shipping, goods, or merchandize, laden in any Ships, of what nature, kind, or quality soever, howsoever taken, belonging to the Subjects of either King, shall under any colour or pretence whatsoever be adjudged Prize, unless by a judicial examination and proceeding in form of Law in the Court of Admiralty, legally ordained in that behalf for such like maritime Prizes.

ARTICLE XXII.

Sound Dues.

It is also covenanted and agreed, that all Ships and Merchants of England, in their passage through the Sound, appertaining to the King of Denmark and Norway, shall enjoy the benefit and privilege of deferring the payment of Customs until their return, in the same manner as they enjoyed the 5 years last past; but so that the said Ships and Merchants

carry with them Certificates under the Seal of the Officers of His said Majesty of England thereunto appointed, witnessing that those Ships belong to the Subjects of the King of England; and also that, before their passage, they give good and sufficient security to make the said payment in due place unto the Receivers of the King of Denmark's Customs at their return, or if they return not within three months at the furthest, in case they do not pay the same in their said first passage.

ARTICLE XXIII.

Dispatch and Discharge of British Vessels at Elsinore.— Most-favoured-nation Treatment.

It is also concluded that the Ships and Subjects of the King of England shall receive their dispatch and discharge at Elsinore, as soon as they arrive, without any delay, no Ships of any Nation whatsoever to have a preference in that behalf before them, except the Inhabitants of certain places who have obtained such a privilege of old in this case, and enjoy the same to this day.

ARTICLE XXIV.

General Most-favoured-nation Treatment.

It is also agreed, that if the Dutch or any other Nation whatsoever, (the Swedish only excepted,) hath already obtained, or hereafter shall obtain, of the King of Denmark and Norway, any better agreements, covenants, exemptions, and privileges than those contained in this Treaty, the same and such like shall be communicated and effectually granted, freely and with all fulness, to the King of England and to his Subjects; and on the other side, if the Dutch, or any other Nation whatsoever, hath obtained, or shall hereafter obtain, of the King of England, any better agreements, covenants, exemptions, or privileges than those contained in this Treaty, the same and such like shall be communicated and effectually granted, freely and with all fulness, to the King of Denmark and Norway, and to his Subjects.

ARTICLE XXV.

Observance of Provisions of this Treaty.—Ratifications.

Lastly, it is covenanted, agreed, and concluded, that the aforesaid Most Serene Princes and Kings shall sincerely and faithfully observe all and singular the Articles contained and established in this present Treaty, and cause the same to be

observed by their Subjects and Inhabitants; neither shall they break them directly or indirectly, nor suffer them to be broken directly or indirectly, by their Subjects or Inhabitants; and shall ratify and confirm all and singular the things covenanted as aforesaid by Letters Patent, subscribed with their own Hands, and sealed with their Great Seals, drawn up and engrossed in sufficient, valid, and effectual form, and shall interchangeably deliver the same, or cause them to be delivered within three months after the date of these Presents, faithfully, really, and effectually.

Done at Whitehall, the 13th day of February, 1660-1.

No. 50.

TREATY OF PEACE AND COMMERCE BETWEEN GREAT
BRITAIN AND DENMARK.

Signed at Copenhagen, July 12, 1670.

(Extract.)

(Translation.)

ARTICLE I.

Peace, Friendship, &c.

THAT there be between the two Kings, their Heirs and Successors, as also their Kingdoms, Principalities, Provinces, Estates, Counties, Islands, Cities, Subjects, and Vassals, of what condition, dignity, and degree soever, by land and sea, in rivers, fresh waters, and all places whatsoever, as well in Europe as out of Europe, now and for the time to come, a sincere, true and perfect Friendship, Peace and Confederation; so as that neither Party do any wrong, injury, or prejudice to the Kingdoms, Principalities, Provinces, and Estates, or to the Inhabitants and Subjects of the other; nor suffer any to be done by others, as much as in him is; but rather live as Friends together, using each other with good-will and respect, and promoting upon all occasions the interests and advantages of each other, and their Subjects as if they were their own; and preventing and hindering with all their power, by their assistance and advice, any damage, wrong, and injury, that may be offered them.

ARTICLE III.

Neither State to assist Enemies of the other.

The foresaid Kings for themselves, their Heirs and Successors, mutually do undertake and promise, that they will not aid or furnish the Enemies of either Party, that shall be Aggressors, with any provisions of War, as Soldiers, arms, engines, guns, ships, or other necessities for the use of War, or suffer any to be furnished by their Subjects; but if the Subjects of either Prince shall presume to act contrary hereunto, then that King, whose Subjects shall have so done, shall be obliged to proceed against them with the highest severity, as against Seditious Persons, and Breakers of the League.

ARTICLE V.

Freedom of Commerce.

It shall be lawful for the Subjects of both Kings, with their commodities and merchandize, both by sea and land, in time of Peace, without licence or safe conduct, general or special, to come to the Kingdoms, Provinces, Mart-Towns, Ports and Rivers of each other, and in any place therein to remain and trade, paying usual Customs and Duties; reserving nevertheless to either Prince his superiority and regal jurisdiction in his Kingdoms, Provinces, Principalities, and Territories, respectively.

ARTICLE VI.

Not to enter Prohibited Ports or Colonies unless compelled by Stress of Weather, or by Pursuit of Pirates.

It is, notwithstanding, covenanted and concluded, that the Subjects of the King of Great Britain shall in no wise come to the Prohibited Ports, of which mention is made in precedent Treaties, nor Colonies, without the special licence of the King of Denmark first desired and obtained; unless they shall be compelled to make thither, and enter therein, by stress of weather, or pursuit of Pirates, in which case neither shall it be lawful for them to buy or sell. As also in like manner the Subjects of the King of Denmark shall not come to the British Colonies, unless by special licence of the King of Great Britain first desired and obtained.

ARTICLE VII.

Imports.—Most-favoured-nation Treatment.

It shall be lawful for the Subjects of the Most Serene King of Denmark to bring into their own stores and warehouses in

England, Scotland, and Ireland, and other the Ports of the King of Great Britain, in Europe, such commodities as now, or hereafter, shall be of the growth and production of the Estates, Countries, and Dominions, subject to the King of Denmark, or of the manufacture thereof, and likewise such as come from any part of the River of Elbe.

In like manner shall it be lawful for the Subjects of the King of Great Britain to import and bring into Denmark, Norway, and all other Ports and Colonies, not prohibited, of the King of Denmark, all kinds of merchandize which now or hereafter shall be produced or made in the Kingdoms, Countries, and Estates under the subjection of the King of Great Britain. But if, at any time hereafter, it be permitted to any Foreign Nations to bring all kinds of commodities without exception, into England, Scotland, and Ireland, and other the Ports belonging to the King of Great Britain, then the same also shall be lawful for the Subjects of the King of Denmark: which in like manner shall be permitted to the Subjects of the King of Great Britain, upon the like occasion, in the prohibited Ports and Colonies of the King of Denmark,

ARTICLE VIII.

Customs Duties, Tolls, Privileges, and Immunities.—Most-favoured-nation Treatment.

It is also covenanted and agreed, that the People and Subjects of the King of Great Britain sailing to any the hereditary Kingdoms, Countries, or Dominions of the King of Denmark, or trading in the same, shall pay no more or greater Customs, Tribute, Toll, or other duties, nor in any other manner than the People of the United Provinces of the Low Countries, and other Strangers (the Swede only excepted) trading thither, and paying lesser Customs, do or shall pay; and in going, returning, and staying, as also in fishing and trading, and all other things, shall enjoy the same liberties, immunities, and privileges, which the People of any Foreign Country, in the said Kingdoms and Dominions of the King of Denmark, abiding and trading, do or shall enjoy; and so on the other side, the People and Subjects of the King of Denmark shall have and enjoy the same privileges, in the Countries and Territories of the King of Great Britain; to wit, that the People and Subjects of the King of Denmark, sailing to any the Kingdoms, Countries, or Dominions of the King of Great Britain, or trading in the same, shall not pay any more or greater Customs, Tributes, Toll, or other Duties, nor in any other manner than the People of The United Netherlands, or other Strangers trading thither, and paying lesser Customs, do or shall pay: and in going, returning, and staying, as also

in fishing and trading, and all other things, shall enjoy the same liberties, immunities, and privileges, which the People of any other Foreign Country in the said Kingdoms and Dominions of the King of Great Britain, abiding and trading, do or shall enjoy: but so, as that the power of each King, of making or altering Customs, or other Duties, as they shall see occasion, in their respective Kingdoms, Countries, Dominions, and Ports, remain full and entire: Provided the foresaid equality be strictly observed on both sides in manner aforesaid.

ARTICLE IX.

Warehousing.

It is also covenanted, that when the Subjects of either King have imported their commodities into the Dominions of the other, have paid the usual Customs for them, and undergone their search, it shall be free and lawful for them to bring their said commodities into their own proper store-houses and cellars, or into places which they shall think most fit and convenient, and there store them; nor shall any Magistrate or Officer of any the Cities or Ports of either, impose upon them any cellars or store-houses without their consent.

ARTICLE X.

Freedom of Navigation.

The Subjects of either Crown trading upon the Seas, and sailing by the Coasts of either Kingdom, shall not be obliged to come into any Port, if their course were not directed thither; but shall have liberty to pursue their voyage without hindrance or detention whithersoever they please. Nor shall they, being by tempest forced into Port, and there remaining, be obliged to unlade their cargo, or to barter or sell any part thereof; but it shall be lawful for them to dispose of it as they shall think fit, and to do any other thing which they shall judge most for their advantage: Provided nothing be done that may be to the defrauding of either Prince of his due Rights and Customs.

ARTICLE XI.

Timber Trade.

It is also agreed, that after any planks, masts, and other sorts of timber, have once been put on board the Ships of the

Subjects or People of the King of Great Britain, they shall not be liable to any further search; but all search or scrutiny shall be made before; and if then, either oaken or other prohibited timber be found, it shall be presently stopped and detained upon the place before it be put on board the Ships; nor shall the People of the said King of Great Britain, or his Subjects, be therefore molested in their Persons or Estates by arrest or other detention whatsoever; but only the Subjects of the King of Denmark, who shall have presumed to sell or alienate any the like prohibited timber, shall be punished in due manner. And the People and Subjects of the King of Great Britain shall have, possess, and enjoy, all and singular the contents and concessions of this Article, without any molestation or interruption, so long, and for all such time as the Subjects or any of the People of The United Netherlands, shall hold, possess, and enjoy, or might, or ought to hold, possess, and enjoy, the same or like privileges by any Treaty already made, or to be made, or by any Contract, agreement, or permission.

ARTICLE XII.

Sound Duties.

It is also concluded and agreed, that all Ships belonging to the Subjects of the King of Great Britain, and Merchants, in their passage through the Sound, under the Most Serene King of Denmark and Norway, &c., shall enjoy, after the same manner, the benefit and privilege of deferring the payment of their Customs until their return, as they held and enjoyed in former years last, preceding the late War; but so nevertheless, that the said Ships and Merchants bring with them Certificates under the Seal of the Officers of the said King of Great Britain deputed thereunto, testifying the said ships to belong to Subjects of the King of Great Britian; and likewise that before their passage they give sufficient and good security for paying the same, in place convenient to the Collectors of the Customs of the said King of Denmark, at their return, or if they shall not return, within three months' time at the farthest, if they do not pay the same at their said first passage.

ARTICLE XIII.

Duties at Elsinore.—Most-favoured-nation Treatment.

And furthermore it is agreed, that whatsoever merchandize the Subjects of the King of Great Britain shall land at Elsinore, and there lay in their store-houses, to no other end than to put on board again entire, and transport them to other parts, they

shall be obliged to pay only the same Duties for such merchandize, and no more, than is wont to be paid in this case by the Dutch Nation, or any other Strangers: which shall be reciprocally observed to the Subjects of the King of Denmark, after the same manner, in England.

ARTICLE XIV.

Despatch of Vessels at Elsinore.—Most-favoured-nation Treatment.

Also it is agreed, that the Ships and Subjects of the King of Great Britain shall have their despatch at Elsinore as soon as they arrive there, without delay; no Ships, of what Nation soever, having preference before them in this behalf: except the Inhabitants of certain places, who have anciently held a privilege to that purpose, and still do.

ARTICLE XV.

Disposal of Property.—Intestate Estates.

If any subject of either Prince shall happen to die in the Dominions or Territories of the other, it shall be lawful for him to dispose of his Estate, both money and goods, in any manner whatsoever: and if any one die within the Kingdoms or Provinces of the other Prince, without making any such dispositions, then the goods by him left, movable or immovable, of whatever nature or condition the same shall be, shall be faithfully preserved for the use of the right Heir, and for satisfaction of such debts as the Party deceased was justly bound to pay; and to that end, so soon as any Subject of either Prince shall die in the other Prince's Dominions, the Consul or Public Minister, then residing there, shall have right to possess the said monies and goods, and shall make inventories of the same before some Magistrate of the place; which goods shall afterwards remain in his hands, to be answered to the Heirs and Creditors as aforesaid; but if no such Consul or Public Minister shall be there, then it shall be lawful for two Merchants of the same Country with the Party deceased, to possess the goods left by him, to preserve them, and in like manner to answer them to the Heirs and Creditors; which, notwithstanding, is to be so understood, that no Papers or Books of Accounts are by this Article to be exposed to the inspection of the said Magistrate, but only the real goods and merchandize of the Deceased; and that the said Magistrate within the space of 48 hours after notice given, and request made,

shall be obliged to be present, otherwise the said inventories shall be made without him.

ARTICLE XVI.

Trade of either Nation with Enemies of the other.

It shall be lawful for either of the Confederates and their Subjects or People, to trade with the Enemies of the other, and to carry to them, or furnish them with any merchandizes (prohibited only, which they call Contraband, excepted) without any impediment, unless in Ports and places besieged by the other; which, nevertheless, if they shall so do, it shall be free for them either to sell their Goods to the Besiegers, or betake themselves to any other Port or place not besieged.

ARTICLE XVII.

Freedom of Residence.

It is also agreed that it shall be free and lawful for the Subjects of either Prince, trading in the Dominions or Ports of the other, there to remain and reside for the buying and selling commodities, without any restriction of time, or limitation to be imposed upon them by any Officers or Magistrates of the said Dominions or Ports, they paying the accustomed Duties for all goods and merchandize by them imported or exported; and further provided that they trade with none but such as are Citizens, or Burgers of some City or Town within the Kingdoms of Denmark or Norway, and that only by wholesale, and not by parcels or retail.

ARTICLE XVIII.

Customs Duties.—Tariff.

Furthermore, for the better encouragement of trade and commerce, and for the utter avoiding of all frauds and disputes that may arise between the Officers of Ports and Merchants, it is agreed and concluded, that all and singular Duties shall be demanded and paid according to the printed Tariffe, (or Book of Rates,) wherein shall be comprised all Customs and Duties to be paid, as well for goods in the respective Ports, as for passage through the Sound: and to the end that this may be the more strictly observed, both Kings shall not only enjoin his Officers and Collectors of his Customs under the highest

penalty, not to do any thing that may frustrate or elude this agreement; but also that they do not, by molestation or exaction, cause any trouble, or offer any injury to the Subjects of either King.

ARTICLE XIX.

Remeasurement of British Vessels.

Moreover, it is concluded and agreed, that the King of Denmark shall constitute the overseers of his Customs or others, Commissioners for remeasuring all Ships belonging to the Subjects of the King of Great Britain trading in Norway, according to their burden and content, so as that what has been hitherto not rightly observed, either in excess or defect, may be hereafter reduced into better order.

ARTICLE XX.

Passports and Certificates.

But lest such freedom of navigation, or passage of the one Ally and his Subjects and People, during the War that the other may have, by sea or land, with any other Country, may be to the prejudice of the other Ally, and that goods and merchandize belonging to the Enemy may be fraudulently concealed under colour of being in amity; for the preventing of fraud, and clearing all suspicion, it is thought fit that the Ships, Goods, and men, belonging to the other Confederate, in their passage and voyages, be accompanied with Letters of Passport and Certificate; the forms whereof to be as follows:—

CHARLES the Second, by the grace of God, King of Great Britain, &c.

CHRISTIAN the Fifth, by the grace of God, King of Denmark and Norway, &c.

BE it known unto all and singular to whom these our Letters of Safe Conduct shall be shown, that our Subject and Citizen of our City of _____ hath humbly represented unto us, that the Ship called _____ of the burthen of _____ tons, doth belong unto them and others our Subjects, and that they are sole Owners and Proprietors thereof, and is now laden with the goods which are contained in a Schedule which she hath with her from the Officers of our Customs, and do solely, truly, and really belong to our Subjects or others in neutrality, bound immediately from the Port of _____ to such other place or places, where she may conveniently trade with the said goods, being not prohibited, nor

belonging to either of the Parties in hostility, or else find a freight; which the foresaid our Subject, having attested by writing under his hand, and affirmed to be true by oath, under penalty of confiscation of the said goods, we have thought fit to grant him these our Letters of Safe Conduct: and therefore we do hereby respectively pray and desire all Governors of Countries and Seas, Kings, Princes, Commonwealths, and Free Cities, and more especially the Parties now in War, and their Commanders, Admirals, Generals, Officers, Governors of Ports, Commanders of Ships, Captains, Freighters, and all others whatsoever having any jurisdiction by sea, or the custody of any Port whom the Ship aforesaid shall chance to meet, or among whose Fleet or Ships it shall happen to fall or make stay in their Ports, that by virtue of the league and amity which we have with any King or State, they suffer the said Master with the Ship persons, things, and all merchandize on board her, not only freely and without any molestation, detention, or impediment, to any place whatsoever to pursue his voyage, but also to afford him all offices of civility, as to our Subject, if there shall be occasion; which upon the like or other occasion we and ours shall be ready to return.

Given the day of in the year

WE, the President, Consuls, and Senators of the City of do attest and certify, that on the day of in the year personally before us came and appeared Citizen and Inhabitant of the City or Town of and under the oath wherein he stands bound to our Sovereign Lord the King, did declare unto us, that the Ship or Vessel called of the burthen of tons doth belong to the Port, City, or Town of in the Province of ; And that the said Ship doth justly belong only to him and others, Subjects of our said Sovereign Lord, and now bound directly from the Port of laden with the goods mentioned in a Schedule received from the Officers of the Customs, and that he hath affirmed under the oath aforesaid, that the forementioned Vessel with her goods and merchandize doth only belong to Subjects of His Majesty, and doth carry no goods prohibited, which belong to either of the Parties now in War.

In testimony whereof, we have caused this Certificate to be subscribed by the Syndic of our City, and sealed with our Seal.

Given, &c.

WHEN therefore the merchandize, goods, Ships, or Men of either of the Confederates and their Subjects and People, shall

meet in open Sea, Straits, Ports, Havens, Lands and places whatsoever; the Ships of War, whether public or private, or the Men, Subjects, and People of the other Confederate, upon exhibiting only the foresaid Letters of Safe Conduct and Certificate, there shall be nothing more required of them, nor shall search be made after the goods, Ships, or Men, nor shall they be any other ways whatsoever molested or troubled, but suffered with all freedom to pursue their intended voyage; but if this solemn and set form of Passport and Certificate be not exhibited, or that there be any other just and urgent cause of suspicion, then shall the Ship be searched, which is nevertheless in this case only understood to be permitted, and not otherwise. If by either Party any thing shall be committed contrary to the true meaning of this Article, against either of the Confederates, each of the said Confederates shall cause his Subjects and People offending to be severely punished, and full and entire satisfaction to be forthwith given, and without delay, to the Party injured and his Subjects and People for their whole loss and expenses.

ARTICLE XXI.

Freedom of Navigation of Elbe.

It is also concluded and agreed, that all Ships of Subjects and People of the King of Great Britain, together with their lading and merchandize, passing by the Port of Gluckstadt, or other Places and Towns under the Dominion of the King of Denmark, situate upon the Elbe Stream, both going and returning, shall be free and exempt from all custom, impost, search, seizure, and molestation, except only the case of search in the time of War, when the King of Denmark hath War with any other King or State.

ARTICLE XXII.

Administration of Justice.

If the Subjects of either Prince be hurt or injured in the Territories of the other; then the King of that place where the injury is done, shall take care that speedy justice be administered according to the Laws and Customs of the Country; and that the Persons guilty be duly punished, with satisfaction to be made to the Party wronged.

ARTICLE XXIII.

Vessels, &c., only to be adjudged Prizes by Admiralty Courts.

It is also agreed, that no Ships whatsoever, Vessels, or merchandize laden on Ships of whatsoever nature, kind, or

quality, howsoever taken, belonging to any the Subjects of either of the aforesaid Kings, under any colour or pretence whatsoever, be adjudged Prize, unless by a judicial examination and process in form of Law, in a Court of Admiralty for Prizes taken at Sea, in that behalf lawfully constituted.

ARTICLE XXIV.

Administration of Justice.

Both Parties shall cause justice and equity to be administered to the Subjects and People of each other, according to the Laws and Statutes of either Country, speedily, and without long and unnecessary formalities of Law and expenses, in all causes and controversies, as well now depending, as which may hereafter arise.

ARTICLE XXV.

Wrecks and Salvage.

If the Ships of either of the Confederates, and their Subjects and People, whether they be Merchant-men, or Men-of-war, shall happen to run on ground, or fall upon rocks, or be forced to lighten themselves, or shall otherwise suffer shipwreck (which God forbid) upon the Coasts of either King, the foresaid Ships with their tackle, goods, and merchandize, or whatsoever shall be remaining of them, shall be restored to their Owners and Proprietors; provided they or their Agents and Proctors do claim the said Ships and goods within the space of a year and a day after such shipwreck suffered, saving always the Rights and Customs of both Nations. The Subjects also and Inhabitants dwelling upon the said Coasts and Shores, shall be obliged to come in to their help, in case of danger, and as much as in them lies to give their assistance; and shall do their utmost endeavour either for the freeing of the Ship, or saving the goods, merchandize and apparel of the said Ship, and what else of the same they shall be able, and for the conveying the same into some safe place in order to be restored to the Owners; they paying salvage, and giving such recompense to the Persons by whose assistance and diligence the said merchandize and goods shall have been recovered and preserved, as they shall deserve. And finally both Parties, in case of such misfortune, shall see observed on their side, what they would desire to have observed and done on the other side.

ARTICLE XXVI.

Non-detention of Vessels, or their Officers, Crews, or Cargoes.

The Commanders of Ships, or Governors, Soldiers, Mariners and Company belonging to the same, as also the Ships themselves, and the goods and merchandize on board them, shall not be detained by any Arrest or Seizure upon any warrant either general or special, or for any cause, unless for the defence and preservation of the Kingdom; which yet shall not be understood to be meant of Arrests laid by authority of Law, for debt contracted upon any other lawful occasion whatsoever, in which case it shall be lawful to proceed according to the rules of justice and Law.

ARTICLE XXVII.

Merchants, &c., may carry Weapons of Offence and Defence in Ports, &c.

It shall be free for the Merchants of both Kingdoms, their Factors and Servants, and also the Masters and Mariners of Ships upon the Sea, and in other waters, as likewise in the Ports, and upon the coasts and lands of either Confederate, going, returning and walking, for the defence of their persons and goods, to carry any kind of portable arms, as well offensive as defensive, so that they give no just cause of suspicion to the Commanders and Magistrates of any place, of any plots or contrivances against the public or private Peace.

ARTICLE XXVIII.

Vessels of War of one Country to guard and defend Merchant-Vessels of the other.

The Convoys of Ships of War, of either Party, meeting in their voyage, or overtaking any Merchant Ships, or others belonging to the other Confederate or his Subjects, and making the same course at sea, in Europe or out of Europe, shall be obliged to guard and defend them as long as they shall hold the same course together.

ARTICLE XXIX.

Suppression of Piracy.

For the greater security of commerce and freedom of navigation, it is concluded and agreed, that neither Party,

as much as may be, and shall lie in their powers, shall permit that public Pirates, or other Robbers upon the sea, in any the Ports of the other Kingdom or Country, have their receptacles or retreats, or shall suffer that any of the Inhabitants, or People of either Prince, do receive them into their houses, or supply them with provisions, or be otherwise assisting to them; but, on the contrary, shall endeavour that the said Pirates or Robbers, and their Partisans and Accomplices, be apprehended and punished according to their demerit, and the Ships and goods, as much as can be found of them, restored to the lawful Owners or their Agents, provided their right be made appear by due proof of Law in the Court of Admiralty.

ARTICLE XXX.

*Free Access to Ports, &c., for War and Merchant Vessels.—
Restriction as to number of War Vessels.*

It is concluded and agreed, that there shall be at all times free access for the Subjects and People of either Party, to the Ports and Coasts of both Princes, and it shall be lawful for them to remain therein, and from thence again to depart, and also to pass through the Seas and Territories whatsoever of either King respectively (not committing any waste or injury) not only with Merchant Ships and Ships of burthen, but also with Ships of War, whether the same be upon the public account, or acting by private commissions; whether they enter by reason of tempest, and for avoiding the danger of the sea, or to refit or buy provisions: so that they exceed not the number of six Ships of War, if they enter of their own accord, nor shall they remain longer in or about the Ports, than shall be necessary for the refitting of their Ships, buying provisions or other necessities: and if they should upon occasion desire to come into the said Ports with a greater number of Ships of War, it shall in no wise be lawful for them to enter thereinto, without first giving timely notice by letter of their coming, and obtaining leave of those to whom the foresaid Ports belong. But if by force of tempest, or other urgent necessity, they shall be compelled to put into harbour, in such case, without any precedent notice, the Ships shall not be restrained to a certain number; but with this condition, nevertheless, that their Admiral or Commander-in-Chief presently after his arrival shall make acquainted with the Chief Magistrate or Commander of the place, haven, or coast, whither they are come, with the cause of his coming; nor shall he stay longer there than shall be permitted him by the Chief Magistrate or Commander, and shall not act or attempt any hostility in the Ports whereinto he hath betaken

himself, or anything prejudicial to him of the two Confederates to whom they shall belong.

ARTICLE XXXI.

Subjects of either Country not to enter Service of Enemy of the other.

It shall not be lawful for the Subjects of either King, or the Inhabitants of the Kingdoms or lands under their obedience, to procure of any Prince or State, who is at difference, or in open War with either of the Confederates, Letters Patent called Commissions or Reprisals, much less by virtue of such Letters to molest or damnify the Subjects of either. Both the said Kings shall strictly prohibit their Subjects respectively, that they do not procure or accept from other Princes or States any such Commissions; but shall, as much as in them lies, forbid and hinder the committing of any depredations by virtue of such Commissions.

ARTICLE XXXII.

Restoration of Vessels of one Nation taken by a Third Party in Ports of the other.

If any Ship or Ships belonging to the Subjects of either King be taken in the Ports of either by a third Party, they, in whose Port, or within whose jurisdiction whatsoever the fore-said Ships shall be taken, shall be mutually obliged to use their endeavour, together with the other Party, for the finding and retaking the said Ship or Ships, and restoring them to the Owners; which, nevertheless, shall be done at the charge of the said Owners, or the Parties interested.

ARTICLE XXXIII.

Subjects of either Country taken on Prizes by the other shall be restored without Ransom.

But if also in the Ships taken by the Subjects of either Confederate, and brought into any Port belonging to the other, there be found any Seamen or other Persons who are Subjects of that Confederate, into whose Ports or Rivers the Prize shall be brought, they shall be civilly used by those who have taken them, and restored to their liberty forthwith, and without ransom.

ARTICLE XXXIV.

Treatment of Vessels taken with Prohibited Goods.

But if a Ship of War or any other, laden with prohibited goods, belonging to the other Crown, happen to be taken; it shall not be lawful for the Captains or Commanders who have taken her, to open or break up any chests, tons, or bales, on board the said Ship, nor likewise to transport, or otherwise alienate any of her merchandize, until they have been first put on shore, and an inventory thereof made before the Judges of the Admiralty.

ARTICLE XXXV.

Vessels of War of either Country not to Injure or Molest Subjects of the other.

And for the greater security of the Subjects of both Kings, and for preventing of all violence towards them from the said Ships of War; all Commanders of any the Ships of War belonging to the King of Great Britain, and all other his Subjects whatsoever, shall be strictly charged and required, that they do not molest or injure the Subjects of the King of Denmark; if they shall do otherwise, they shall be liable to answer it in their persons and estates, and shall therein stand bound until just satisfaction and compensation shall be made for the wrongs by them done, and the damage thereby sustained or to be sustained; in like manner shall all Commanders of the Ships of War belonging to the King of Denmark, and all other his Subjects whatsoever, be straightly under the same penalties charged and required, that they do not molest or injure the said Subjects of the King of Great Britain: Provided nevertheless, that all the foresaid actions be examined and adjudged by due and legal proceeding in the Court of Admiralty of both Kings; or if it shall rather seem meet to either of the Parties, being a Stranger in the place where the Controversy is to be decided, they shall be examined before certain Commissioners, which both Kings, as soon as they shall be desired, shall appoint to that end, that so proceedings by this means may be not only carried on without great expenses, but also ended within three months at farthest.

ARTICLE XXXVI.

Execution of Judgments and Sentences as to Captures at Sea.

Both Kings shall take care that judgment and sentence in things taken at sea, be given according to the rules of justice

and equity, by Persons not suspected or interested, and being once given by such Judges as aforesaid, they shall straightly charge and require their Officers, and whom it shall concern, to see the same put in due execution according to the form and and tenor thereof.

ARTICLE XXXVII.

Appeals against Judgments and Sentences as to Captures at Sea.

If the Ambassadors of either King, or any other public Ministers residing with the other King, shall happen to make complaint of any such sentence, that King to whom complaint shall be made shall cause the said judgment and sentence to be reheard and examined in his Council; that it may appear whether all things requisite and necessary have been performed according to the rules of this Treaty, and with due caution: if the contrary shall happen, it shall be redressed, which is to be done at the furthest within three months' time.

Neither shall it be lawful either before the giving of the first sentence, or afterwards, during the time of rehearing, to unlade or sell and make away the goods in controversy, unless it happen to be done by consent of Parties, and to prevent the perishing of the said goods and merchandize.

ARTICLE XXXVIII.

Appointment of Diplomatic and Consular Officers.

The said Kings shall have in each other's Court, their Ministers, and in certain Ports, their Consuls, for the better and more easy communicating and proposing such things as they shall think advantageous to the public interest, or private concerns of any particular Person.

ARTICLE XXXIX.

Private Injuries not to affect Treaty.

No private injury shall in any wise lessen this Treaty, nor shall raise any discord or hatred between the foresaid Nations, but every Man shall answer for his own doings, and shall be responsible therefore; nor shall one Man suffer for that which another has offended in, by having recourse to Reprisals, or such like rigorous proceedings, unless justice be denied or

delayed longer than is fitting. In which case it shall be lawful for that King, whose Subject has received the injury, to proceed according to the rules and prescriptions of the law of Nations, until reparation be made to the Party injured; provided notwithstanding that he have first in due manner advertised the other King thereof.

ARTICLE XL.

General Most-favoured-nation Treatment.

Also it is agreed, that if the Hollander, or any other Nation whatsoever (the Swedish Nation only excepted) hath already, or shall hereafter obtain any better Articles, Agreement, Exemptions, or Privileges, than what are contained in this Treaty, from the King of Denmark, that the same and like Privileges shall be likewise granted to the King of Great Britain, and his Subjects, effectually and fully to all intents and purposes; and on the other side, if the Hollander or any other Nation whatsoever, hath or shall obtain from His Majesty of Great Britain, any better Articles, Agreements, Exemptions, or Privileges, than what are contained in this Treaty, that the same and like Privileges shall be granted to the King of Denmark, and his Subjects also, in most full and effectual manner.

ARTICLE XLI.

Former Treaties not abrogated except in so far as they are contrary to this Treaty.

It is also concluded, that former Treaties, and Leagues, at any time heretofore made between the aforesaid Confederates, or their Predecessors, Kings, as well for the Kingdoms of Great Britain, &c., as for the Hereditary Kingdoms of Denmark and Norway, &c., respectively, be not in the least reputed or taken to be broken and abolished, by any Agreement, Covenants, or Articles in the present Treaty contained; but that the same remain in full force, effect, and virtue, so far as they are not contrary or repugnant to the present Treaty, or any Article therein contained.

ARTICLE XLII.

Ratifications.

Finally, it is covenanted, concluded, and agreed, that the foresaid Kings shall sincerely and *bonâ fide* observe, all and singular the Articles contained and set down in this Treaty, and shall cause them to be observed by their Subjects and

People; nor shall transgress the same directly or indirectly, or suffer the same to be transgressed by their Subjects or People, and shall ratify and confirm all and singular the premises as before agreed, by Letters Patent subscribed with their Hands, and sealed with their great Seals in good, sufficient, and effectual form, and shall deliver the same reciprocally within three months after the date of these Presents, or cause them to be delivered, in good faith, and reality, and with effect.

Given at Copenhagen, the 12th day of July, 1670.

Annex.

SOUND TARIFF, OR BOOK OF RATES, REFERRED TO IN ARTICLE XVIII OF THE PRECEDING TREATY.

Table de la Taxe faite en 1645, suivant laquelle les Sujets de Sa Royale et Sacrée Majesté Très-Chrétienne seront obligés de payer les Droits levés aux Détroits du Sund.

LE Sérénissime et Très Puissant Roy de Danemarc et de Norvège, des Vandales et des Goths, se souvenant et faisant l'estime qu'il doit des soins généreux et constans que le Sérénissime, Très Puissant et Très Chrestien Roy de France et de Navarre, Cousin, Allié, et très cher Amy de Sa Majesté; comme aussi la Sérénissime Reyne Mère Régente, out employé pour la pacification des troubles qui depuis 2 ans ont agité les Pays du Nord, a jugé que rien ne luy devoit estre plus à cœur, que de répondre de sa part à leurs offices fidèles et fraternels, par des témoignages de bien-veillance proportionnés à ceux qu'il a receus. Et Sa Majesté depuis la Paix faite entre les Couronnés du Nord, ayant appris du Très Illustre et Très Excellent Seigneur de la Tuillerie, Ambassadeur du Roy Très Chrestien, que Sa Majesté le trouvoit très agréable que l'on reduisit à un pied médiocre les Droits que les Marchands François payent au Détroit du Sund, afin qu'ils puissent avec le même advantage que les autres continuer l'exercice de leur Commerce; Sa Majesté qui ne peut dénier aucune chose aux justes désirs du Sérénissime Roy de France et de Navarre, a bien voulu luy donner la satisfaction qu'il souhaite en cette rencontre, et modérer à présent les mesmes Droits en la manière que l'on voit par la Taxe joint à cette Réponse, qui est toute la mesme que l'on a accordée à Christienstad, le 13 Aoust de l'année courante, aux Estats des Provinces Unies; sur le pied de laquelle Taxe Sa Majesté a donné ordre aux Receveurs Ordinaires de ses Droits, que ce péage là fust exigé, ayant résolu de ne souffrir pas à l'avenir que ceux qui vivent sous la Domination du Sérénissime Roy de France, soient plus chargés que le

seroient ceux des autres Nations qui passent le mesme Détroit. Sa Majesté est aussi très persuadée que le Sérénissime Roy Très Chrestien recevra de bon cœur le témoignage et la passion qu'on a de luy plaire, et fera paroistre en revanche la mesme bonté et la mesme affection pour ceux des nostres qui trafiquent dans les Ports de France. C'est la Réponse que Sa Majesté a commandé de faire au Très Excellent Seigneur Ambassadeur, à qui elle donne toute asseurance de sa bienveillance Royale. En foy de quoy, l'on a mis le Sceau Royal à ces Présentes.

Fait a Coppenhaguen, le Septembre, 1645.

(Traduction.)

ROOLLE ou Tarife du Péage de la Mer d'Oresunde, qui a esté réglé pour les Marchands François, au mois d'Aoust, 1645.

Poissons, Graisses, et autres Marchandises Salées.

1 leth de beurre	...	...	1 ristaller et 1 quart.
1 leth de miel, ou 8 ahmées	...	...	1 ristaller et 1 quart.
6 chiffund (ou 120 livres) de lard	...	...	3 quarts de ristaller.
6 chiffund (ou 120 livres) de fromage	...	...	1 demi ristaller.
1 leth de graisse de cuisine	...	...	3 quarts de ristaller.
1 leth de goultran, ou 8 barils	...	...	3 quarts de ristaller.
1 leth de sel d'Espagne	...	...	1 demi ristaller.
1 leth de sel de France...	...	...	1 demi ristaller.
1 leth de chair	...	...	3 quarts de ristaller.
1 leth de harangs	...	...	1 demi ristaller.
1 leth de moluë ou cableaux	...	...	1 quart de ristaller.
1 leth de buttes secs, ou 20,000	...	...	1 quart de ristaller.
1 leth de roche	...	...	} 3 quarts de ristaller.
1 leth de spurres	...	...
1 leth d'anguilles ou 6 tonneaux	...	...
1 millier de poissons secs, grasie, ou moluë	...	...	} 1 ristaller et 1 quart.
1 leth d'esturgeons ou 6 tonneaux	...	...
1 leth de saulmons	...	...
1 leth de raffles	...	...	3 quarts de ristaller.
8 leths de sorets ou harangs enfumez, 20	...	...	} 1 demi ristaller.
mesures pour 1 leth	...	...
6 chiffund (120 livres) de taillie	...	...
1 leth ou 12 tonnes de sel Lunebourg	...	...	3 quarts de ristaller.

Bled.

1 leth de froment	...	...	1 ristaller.
1 leth de seigle	...	...	1 demi ristaller.
1 leth d'orge	...	...	1 quart et demi de ristaller.
1 leth de farine	...	...	1 quart et demi de ristaller.
1 leth de maltz à faire bière	...	...	1 quart et demi de ristaller.
1 leth d'avoine	...	...	} 1 quart de ristaller.
1 leth de pois...	...	...
1 leth de gru d'avoine	...	...
1 leth de pain de seigle	...	...	} 1 quart et demi de ristaller.
1 leth de biscuit de froment	...	...
1 leth de bled mestail	...	...
1 leth de grue de mestail	...	...	1 quart et demi de ristaller.
1 leth de gru de millet	...	...	2 quarts et demi de ristaller.

1 leth de noix ...	...	...	1 quart de ristaller.
1 leth de pommes ...	...	...	1 demi quart de ristaller.
1 leth de moustarde ...	...	...	2 quarts et demi de ristaller.
1 leth d'avelanes, 36 boisseaux ou 18 tonnes	...	...	1 quart de ristaller.

Diverses Sortes de Marchandises.

6 chiffund (120 livres) de cire ...	...	3 quarts de ristaller.
6 chiffund d'harpis ou poix ...	...	2 quarts et demi de ristaller.
6 chiffund (120 livres) de duvet de plumes ...	...	3 quarts de ristaller.
6 chiffund de plumes communes ...	...
4 chiffund de fine laine ...	...	2 quarts et demi de ristaller.
6 chiffund de grosse laine ...	...
1 tonneau ou 30 douzaine de cartes ...	...	1 quart et demi de ristaller.
1 tonneau de feutres de chapeaux ...	...	1 quart de ristaller.
8 chiffund de bourre lanisse, ou de tonsure de laine ...	...	3 quarts de ristaller.
1 sac de coton de 200 livres ...	...
1 leth, ou 12 chiffund, de pottache ou natrom ...	...	1 ristaller.
1 leth de cendres ...	...	1 quart de ristaller.
1 leth de gros gouldran ou poix ...	...	1 quart et demi de ristaller.
1 leth de petit gouldran ou poix ...	...	9 chill. ou sols de Lubec.
8 corbeilles ou quaises de verres de France, de Hesse, ou de Dantzic ...	...	2 quarts et demi de ristaller.
30 chocques* (ou bottes) de bouteilles ou flacons ...	...
1000 pieds de pierre ...	...	1 quart de ristaller.
1 tonneau ou 2 pipes de bouteilles ...	...
6 chiffund (120 livres) d'houblon ...	...	3 quarts de ristaller.

Lin et Chanvre.

1 leth ou 6 chiffund de lin ou chanvre	1 ristaller.
4 chiffund de lin ou chanvre crud, ou en masse ...	...
1 chiffund de lin serisé ou prest à filer	3 quarts de ristaller.
6 chiffund de chanvre à cables, et cordages, et tacuels ...	...
1 chiffund de hedegarn ou chanvre filé ...	...
4 chiffund de flessengarn ...	...
10 chiffund de lin ou henfhede	1 quart et demi de ristaller.
1 leth de semence de lin ...	...
1 leth de semence de navetto	1 demi quart de ristaller.
1 leth de semence de chenevis ...	...
1 tonneau de semence de canaries	1 quart de ristaller.

Cuivre, Estain, Plomb, et Fer.

1 chiffund de cuivre	1 demi ristaller.
1 chiffund ou corbeille d'estain ...	...
1 corbeille de besogne de leton ...	...
6 chiffund ou charges de plomb ...	...
8 tonneaux de feuilles de fer blanc ...	...
6 chiffund de fer en barre ...	...
1 leth ou 12 chiffund de fer d'Osmunde ...	...
6 chiffund de balles ...	...
6 chiffund de fourneaux de fer ...	...
4 chiffund de plaques de fer ...	...
8 chiffund ou barils de vieux fer ...	...
6 chiffund de gottlinchus ...	...

* Chocque est l-soixantaine.

6 tonnes d'aixieux de Hollande	} 1 demi ristaller.
6 quintaux d'acier ...	...
1 corbeille ou tonneau de fil d'archel d'acier ...	...
6 chiffund de cercles de fer pour tonneaux à mettre vin...	...	
6 quintaux d'aixieux de Lubec ...	...

Munition de Guerre.

100 de lames d'épées ...	...	1 demi ristaller.
100 de gardes d'épées ...	...	8 sols de Lubec.
400 bois de piques ...	...	1 demi ristaller.
50 épées à 2 mains ...	...	1 demi ristaller.
100 corcelets ...	...	1 ristaller.
50 morions ...	...	1 demi quart de ristaller.
100 hallebardes ...	...	1 demi ristaller.
100 fers de piques ...	...	1 demi quart de ristaller.
1 quaiasse de 100 mousquets ...	...	} 1 demi ristaller.
4 douzaines de canons à Carabines ...	...
15 cuirasses ...	...	} 3 quarts de ristaller.
6 quintaux de salpêtre ou poudre ...	...
1 leth ou 12 chiffund de soufre ...	...	1 ristaller.

Marchandise de Bois.

1 gros mast de navire de 15 palmes, et au dessus ...	...	1 demi ristaller.
1 petit mast, dit Spire ...	...	8 sols de Lubec.
25 perches, dites Flagstangen, ou petits Spires ...	...	2 quarts et demi de ristaller.
100 gros de bois de clappe ...	...	1 ristaller.
100 gros de marrain à tonneaux ...	...	1 ristaller.
100 de bois à chariots de coure ...	...	1 quart et demi de ristaller.
1 tas ou soixantaine de grosses planches de chesne ...	...	1 ristaller.
1 tas ou 60 d'ais de Prusse ou de Stettin...	...	3 quarts de ristaller.
1000 de lattes ...	...	8 sols de Lubec.
10 grosses poutres de chesne ...	...	2 quarts et demi de ristaller.
20 poutres à feu ...	...	2 quarts et demi de ristaller.
1 leth de quaiasses ...	...	1 quart et demi de ristaller.
1 nestel ou 12 zipers de coffres ou quaiasses	...	3 quarts de ristaller.
1 corbeille de cuveaux peints ...	...	1 quart et demi de ristaller.
1 tas ou 60 de gros platan, ou bois de platan, ou bois d'érable ...	...	1 quart de ristaller.
1 tas ou 60 de bois à Balc, ou poutres et planches de chesnes doubles ...	...	1 ristaller.
1000 d'aix de Norwegue ou de Suède ...	...	3 quarts de ristaller.
1 tas (60) de bois de petit platan ou érable	...	8 sols de Lubec.
40 tas ou fardeaux de palles ...	...	} 3 quarts de ristaller.
20 tas de coffres ou auges ...	...
100 gros de pipestafen ...	...
40,000 de clouds à nef ...	...
30 fardeaux de coreque... ..	...	} 8 sols de Lubec.
20 faisseaux (60) de trenchoirs ...	...
2000 courres servant de lieures ...	...	8 sols de Lubec.
25 courbes de bois ou en cheri (Cnehen) ...	...	3 quarts de ristaller.
30 pousteaux dits cheverpfost ...	...	3 quarts de ristaller.
100 de bostaves ...	...	1 demi ristaller.
40 pièces de bois de barque ou d'estre ...	...	3 quarts de ristaller.
100 de bois à chariot, dit Vaguenschott ...	...	1 ristaller.

Marchandise Sauvage.

1 timbre de peaux de martre	2 quarts et demi de ristaller.
100 de peaux de bièvre... ..	1 ristaller.
100 de peaux de renards	3 quarts de ristaller.
100 de peaux de loutres	1 ristaller et demi.
20 timbres d'hermines	
1000 de petits gris	
1000 d'ilek ou peaux de chats sauvages	
16 douzaines de romenfelle	} 3 quarts de ristaller.
2000 de peaux de conills noirs	
4000 de peaux de conills gris	
100 ristallers de zobelines	

Cuir et Peaux.

4 dequers de peaux d'élan	
4 dequers de peaux de cerf	
20 dequers de peaux de bouc	
30 dequers de peaux de veau	
1000 grosses de peaux de mouton	
2000 peaux d'agneau	
4000 peaux de chamois	
1000 peaux de chevrotin	
1000 de cuir blanc	
10 dequers de cuir de sehm	
6 dequers de Cordoïan ou Marroquin	} 3 quarts de ristaller.
20 dequers de cuir de bassaine	
10 dequers de cuir de Russie, dit Rott-lache	
6 dequers de cuir, dit Gahrleder	
10 dequers de peaux desseichées, ou cuir passé	
1000 de paires de Heusche de Russie	
400 livres de cuir à semelles	
800 livres d'affalt	
4 dequers de vaches de Russie	

Velours, Estoffes de Soye, et Draps.

2 pièces de brocadel	
4 pièces de fin velours	
8 pièces de drap d'Angleterre et d'Irlande	
8 pièces de double sarge	
8 pièces de demi velours, ou trippe de velours	
8 pièces de satin	} 3 quarts de ristaller.
8 pièces de sarge de soye, ou gros de Naples	
8 pièces de taffetas	
8 pièces de caffa	
16 pièces de gros drap dusincque d'Angleterre, ou d'Irlande à 4 fonds	
12 pièces de bayette ou frise	
10 pièces de cotti ou treillis rayé de bleu	
1 paquet ou 16 pièces de gros drap d'Ecosse, d'Amsterdam, de Flandres, ou de France	} 2 quarts et demi de ristaller.
12 pièces de double maque ou gros grain de Turquie	

24 pièces de carisée d'Osnabrouc, de gros grain, sarge d'Encquel, maquie, tripes, bombasin, sarge et tridaine ...	...
1 tonneau de mercerie ...	...
12 livres de soye, franges, passement et gallon ...	...
16 livres de franges houppees ...	...
4 douzaines de couvertures et accommo- demens de lits, d'Angleterre, d'Es- pagne, ou de Neuremberg ...	...
4 douzaines de couvertes pour chevaux ...	...
30 douzaines de lizières ou listes de drap ...	2 quarts et demi de ristaller.
100 paires de bas de fine carisée ...	...
30 douzaines de bas de gros drap ...	...
60 douzaines de bas de laine ...	...
100 chemisettes d'Ecosse ...	...
1 paquet ou tonneau de valeur de 100 ristallers ...	...
12 paires de bas de soye ...	...
50 paires de bas d'estame ...	...
6 livres de passement d'or ou d'argent ...	...
100 livres de soye cruë non teinte ny mise en œuvre ...	...

Toiles.

1 tonneau de toile de Hollande ...	...
12 pièces de toile de Hollande ou de Silésie ...	...
100 pièces de treillis de 3 aulnes de large	...
8 pièces de toile de Cambray ...	...
8 pièces ou rouleaux de boudaft, ou canevas du plus large, de France ou Dantzic ...	...
20 pièces d'encquel, boudaft, et canevas...	...
40 pièces de peigzoirs et toilettes ...	...
20 pièces de toiles ou draps ...	...
20 pièces de toiles de Pomeranie, ou draps de lit, et semblables ...	...
12 pièces de camelot ondé, ou damas ...	2 quarts et demi de ristaller.
20 pièces de treillis ...	...
30 pièces de toile de Stettin ...	...
40 pièces de toile, ou bure de Cracovie ...	...
8 pièces de toile faite d'une certaine espèce de chanvre, dont la semence est noire, dite heden ...	...
1000 d'aulnes de forte toile ...	...
8 pièces de fin burail ...	...
50 pièces de gros burail à lits ...	...
8 balles de papier ...	...
50 livres de fil retord ...	...
16 pièces de draps de Cathun ...	...

rogues et Espiceries.

1 balle de 300 livres de poivre ...	...
300 livres de gingembre ...	...
150 livres de gingembre confit ...	...
100 livres de clouds de giroffes, cannelle, muscade, fleur de muscade, folio et indigue ...	3 quarts de ristaller.
8 livres de safran ...	...

1 leth de raisins de Corinthe, ou 36 cabats de figues, ou 1,600 livres	...	...
1 tonneau de longs raisins, ou 400 livres	...	...
400 livres d'amande	...	...
800 livres de ris	...	...
800 livres de grains de laurier	...	...
400 livres de petun ou tabac	...	...
400 livres de savon d'Espagne	...	...
4 balles de savon blanc	...	...
1 leth de savon	...	...
400 livres de maniquette ou grains de paradis	...	...
1 tonneau ou balle de noix des galles de 400 livres	...	...
4 balles de corinte, ou 800 livres	...	...
400 livres de dattes	...	...
2 boëttes de pruneaux, limons, capres, et olives	...	...
1600 livres de pruneaux, dits chevetschen	...	...
400 livres de biscuit sucrin	...	...
400 livres de sucre candi, ou confitures	...	...
1 tonneau de strop	...	...
4 balles ou 400 livres d'anis ou cumin	...	...
1 tonneau ou quaissè de cassonade de 400 livres	...	...
1 double balle de cinabre de 300 livres	...	...
6 balles de couleur d'almaroc, ou crap, de 800 livres	...	...
1600 livres de sumac	...	...
4 chiffund de rouge de Dantzic	...	...
6 chiffund ou 1800 livres de galamie	...	...
100 livres de cochenile	...	...
600 livres de calamus	...	...
1 leth de rouge ou couleur de Suède	...	...
1 tonneau ou 3 chiffund de vestum	...	...
6 chiffund de vitriol ou couperose	...	...
6 chiffund de blanc de plomb ou glede	...	...
3 chiffund d'alum	...	...
6 chiffund d'eau de vitriol	...	...
30 livres de rottstain ou ambre mis en œuvre	...	...
4 chiffund de limure d'ambre	...	...
3 chiffund d'antimoine	...	...
400 livres de gayac	...	...
400 livres de rigalisse	...	...
800 livres de gommi ou gallas	...	...
4 chiffund de guesde pour les teinturiers	...	...
300 livres d'amidon, ou 1 tonneau de 300 livres	...	...
1000 livres de graines de paradis	...	...
1000 livres de bois de Brésil	...	...
20 pièces de gupel	...	...
300 livres de colle	...	...
1 tonneau d'huile de Lisbonne	...	...
1 leth ou 8 ahmées d'huile de chenevis ou de navette	...	...
1 leth ou 8 ahmées d'huile de lin	...	...
50 livres de vif argent	...	...
1 baril de zuccat	...	...
800 livres de pruneaux de Hongrie	...	...
1 baril ou 200 livres d'encens ou parfum	...	...
6 chiffund de resine ou terebentine	...	...

3 quarts de ristaller.

1 quart et demi de ristaller.

3 quarts de ristaller.

1 quart et demi de ristaller.

3 quarts de ristaller.

3 quarts de ristaller.

1 ristaller et demi.

3 quarts de ristaller.

1 ristaller.

1 quart et demi de ristaller.

3 quarts de ristaller.

8 sols de Lubec.

2 quarts et demi de ristaller.

1 quart et demi de ristaller.

3 quarts de ristaller.

1 quart et demi de ristaller.

3 quarts de ristaller.

Vin, Hydromel, Bière, et Autres.

Tout vin de quelque sorte que ce puisse estre, qui n'est cy dessous spécifié, payera le trentième denier :

1 baril d'eau de vie d'Espagne ...	...	} 1 demi ristaller.
1 ahmée d'eau de vie du Rhin ...	...	
1 ahmée d'eau de vie de France ...	...	
1 tonnelet de vinaigre ...	...	} 1 ristaller et demi.
1 leth d'hydromel ...	...	
8 barils de bière d'Angleterre, ou vinaigre	}	3 quarts de ristaller.	
de bière ...			
6 tonneaux de double bière ...	...	} 1 quart et demi de ristaller.
6 tonneaux de bière de Lubeck ...	...	
1 leth de bière de Rostock, Wismarche, ou	}		
de Stralesunde ...			
4 quaiesses de verres de Venise ...	...	} 3 quarts de ristaller.
1 corbeille de cruches et pots ...	...	
400 livres de dents d'éléphants ou yvoire...	...		
40 estuits de flacons ou bouteilles ...	...	

Toutes les charges qui ne sont spécifiées en la Liste ci-dessus, seront comptées ainsi qu'il est accoutumé entre Marchands, et suivant qu'il a esté observé de toute ancienneté.

Donné à Christianople, le 13ème d'Aoust, en l'an 1645.

No. 51.

TREATY OF PEACE BETWEEN GREAT BRITAIN AND DENMARK.

*Signed at Kiel, January 14, 1814.**

In the Name of the Most Holy and Undivided Trinity.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Denmark, being desirous to put an end to the calamities of the war which has so long divided their States, and to re-establish the ancient relations of amity and good understanding, have judged expedient to name for this purpose their respective Plenipotentiaries, viz.: His Royal Highness the Prince Regent, in the name and on the behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, Edward Thornton, Esq., His Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Sweden; and His Majesty the King of

* Signed also in French.

Denmark, His Chamberlain the Sieur Edmund Bourke, Grand Cross of the Order of Dannebrog and Knight of the Order of the White Eagle; which Plenipotentiaries, after the exchange of their full powers, found in full and due form, have agreed on the following Articles:—

ARTICLE I.

Peace and Friendship.—Cessation of Hostilities.—Restoration of Prizes.

From the moment of the signature of the present Treaty, there shall be peace and friendship between their Majesties the King of the United Kingdom of Great Britain and Ireland, and the King of Denmark, and between their respective Kingdoms, States, and subjects, in all parts of the world. All hostilities between them shall cease, and all prizes taken from the subjects of the respective nations shall be considered as null from the day of the signature of the present Treaty, and shall be restored on both sides to their respective owners.

ARTICLE II.

Restoration of Prisoners of War.

The respective prisoners of war shall, immediately after the ratification of the present Treaty, be restored, *en masse*, on payment, on both sides, of the private debts which they shall have contracted.

ARTICLE III.

Restoration of all Danish Possessions taken by Great Britain, except Heligoland.

His Majesty the King of the United Kingdom of Great Britain and Ireland consents to restore to His Danish Majesty all the possessions and Colonies which have been conquered by the British arms in this present war, except the Island of Heligoland, which His Britannic Majesty reserves to himself with full and unlimited sovereignty.

ARTICLE IV.

Rules for restoration of Colonies.—Island of Anholt.

The restoring of the Colonies shall be performed according to the same rules and principles which were laid down when

His Britannic Majesty gave up to His Danish Majesty these same Colonies in the year 1801. With regard to the Island of Anholt, it is agreed that it shall be given back one month after the ratification of the present Treaty, unless the season and the difficulty of navigation should present insurmountable obstacles.

ARTICLE V.

*This Treaty to be extended to Russia, Prussia, and Sweden.—
Prizes made after its Signature to be restored.*

His Britannic Majesty having stipulated with His Allies the Emperor of Russia, the King of Sweden, and the King of Prussia, not to conclude either armistice or peace with their common enemies but by mutual consent, it is understood, that the peace, re-established by the present Treaty, and by the Treaty signed this day between the King of Denmark and the King of Sweden, shall in consequence be extended to the above-mentioned Allies, by the means of negotiations, the which shall be entered upon as soon as possible, His Britannic Majesty engaging himself to employ His good offices with His Allies in order that their respective relations with His Danish Majesty may be renewed upon the same footing as they were before the war.

His Danish Majesty, relying with full confidence on the good offices of their Britannic and Swedish Majesties, for the purpose, as soon as possible, of restoring the peaceable and friendly connexions between His Majesty the Emperor of Russia and King of Prussia, as they were before the war, consents to make all hostilities towards the Allies of Great Britain and Sweden immediately cease. All prizes which have been made since this Treaty has been signed shall be restored; His Danish Majesty relying on a complete reciprocity in this respect.

ARTICLE VI.

Denmark to take part with Allied Powers against France.

His Danish Majesty consents to take an active part with the Allied Powers in the present war against France, and to furnish ten thousand men, which corps is to be attached to the army of the North of Germany, and under the immediate command of His Royal Highness the Crown Prince of Sweden, to be placed on the same footing, and to be treated in every respect in the same manner as the Swedish troops, which constitute a part of the said army; His Britannic Majesty engaging himself to pay to His Danish Majesty, for the maintenance of the said troops, a certain sum, to be provided

for every month in this present year in the proportion of four hundred thousand pounds sterling a-year, from the day on which they are placed under the command of the Swedish Crown Prince. This corps shall be always kept up to its full complement, which may be ascertained by a Commissary named for that purpose on the part of His Britannic Majesty.

It is, however, understood by the High Contracting Parties, that these payments are to cease from the time His Britannic Majesty shall declare such troops not to be required for the good of the common cause, or by the conclusion of a general peace. A proper time shall be allowed, concerning which an amicable arrangement shall be made for the troops to return to his Danish Majesty's dominions.

ARTICLE VII.

Commercial Relations to return to usual order as existing before War.

The commercial relations between the subjects of the High Contracting Parties shall again return to the usual order, as existing before the present war began. They moreover reciprocally agree to adopt measures, as soon as possible, for giving the same greater force and extent.

ARTICLE VIII.

Abolition of Slave Trade.

His Majesty the King of the United Kingdom of Great Britain and Ireland and the British nation being extremely desirous of totally abolishing the Slave Trade, the King of Denmark engages to co-operate with His said Majesty for the completion of so beneficent a work, and to prohibit all his subjects, in the most effectual manner, and by the most solemn laws, from taking any share in such trade.

ARTICLE IX.

No Peace or Truce to be made with France but by Mutual Consent.

The two High Contracting Parties oblige themselves reciprocally not to conclude any peace or truce with France, but by mutual consent.

ARTICLE X.

Indemnity to Denmark for Cession of Norway to Sweden.

Whereas His Danish Majesty, in virtue of the Treaty of Peace this day concluded with the King of Sweden, has ceded Norway to His said Majesty for a certain provided indemnity, His Britannic Majesty, who thus has seen his engagements contracted with Sweden in this respect fulfilled, promises, in concert with the King of Sweden, to employ his good offices with the Allied Powers, at the general peace, to obtain for Denmark a proper indemnity for the cession of Norway.

ARTICLE XI.

Raising of Sequestrations on Property not yet Confiscated or Condemned.

The sequestrations which have been laid, by either of the Contracting Parties, on property not already confiscated or condemned, shall be raised immediately after the ratification of this Treaty.

ARTICLE XII.

Depôt for British Goods at Stralsund.

His Majesty the King of Sweden having engaged, by the sixth Article of the Treaty of Alliance with His Britannic Majesty, concluded at Stockholm the 3rd of March, 1813, to grant for a period of twenty years, to be computed from the exchange of the ratifications of the said Treaty, to the subjects of His Britannic Majesty, the privileges of depôt in the port of Stralsund, of all articles being the growth or manufacture of Great Britain, or of her Colonies, on paying a duty of 1 per cent. *ad valorem* on such articles and merchandize on import and export; His Majesty the King of Denmark promising to fulfil, in his new character of Sovereign of Swedish Pomerania, the said stipulation, by substituting *Danish* for Swedish bottoms.

ARTICLE XIII.

Renewal of all Ancient Treaties of Peace and Commerce.

All the ancient Treaties of Peace and Commerce between the former Sovereigns of England and Denmark are hereby renewed in their full extent, so far as they are not contradictory to the stipulations of the present Treaty.

ARTICLE XIV.

Ratification.

This Treaty of Peace shall be ratified by the two High Contracting Parties; the ratifications to be exchanged at Kiel within one month, or sooner if practicable.

In witness whereof we, the Undersigned, by virtue of our full powers, have signed the present Treaty of Peace, and thereto affixed the seal of our arms.

Done at Kiel, the 14th January, 1814.

(L.S.) EDWARD THORNTON.
(L.S.) EDMUND BOURKE.

No. 52.

ADDITIONAL ARTICLES TO THE DEFINITIVE TREATY BETWEEN GREAT BRITAIN AND DENMARK, SIGNED AT KIEL, JANUARY 14, 1814.

Signed at Liège, April 7, 1814.

ARTICLE I.

Period for Evacuation, &c., of Danish Possessions by Great Britain.

The evacuations, cessions, and restitutions, stipulated by the above-mentioned Treaty, shall be executed in Europe within a month, in the seas of America within three months, and in the continent and seas of Asia within six months after the ratifications of the Definitive Treaty.

ARTICLE II.

Fortifications in Restored Districts.

In all cases of restitution agreed upon by the present Treaty, the fortifications shall be delivered up in the state in which they were at the moment of the signature of the Definitive Treaty, and all works which shall have been constructed since the occupation shall remain untouched.

In Cases of Cession Three Years allowed to Inhabitants to dispose of their Property.

It is further agreed that in all the cases of cession stipulated, there shall be allowed to the inhabitants, of whatever condition or nation they may be, a term of three years, reckoning from the notification of the present Treaty, to dispose of their property, acquired and possessed whether before or in the course of the war, during which term of three years they shall be at liberty freely to exercise their religion, and to enjoy their property. The same facility is granted within the countries restored, to all persons, inhabitants or others, who shall have formed any establishments during the time which those countries were possessed by Great Britain.

Non-Molestation of Inhabitants of Ceded Countries on Account of Political Opinions.

In respect to the inhabitants of the countries restored or ceded, it is agreed that no one shall be persecuted, disturbed, or troubled, either personally or in his property, under any pretext, on account of his political opinions or conduct, or of his attachment to either of the High Contracting Parties, or for any other cause, unless it be for debts contracted with individuals, or for acts subsequent to the present Treaty.

ARTICLE III.

Claims.

The decision of every claim between individuals of the respective nations for any debts, property, effects, or rights whatever, which conformably to common usage and the law of nations ought to be brought forward, shall be referred to the competent tribunals, and in such cases there shall be prompt and complete justice rendered in the countries where the claims are respectively put forth.

These Articles to form Part of Treaty of January 14, 1814.

These Additional Articles shall make a part of the Treaty signed the 14th January, 1814, and shall have the same force and validity as if they were inserted word for word in the said Treaty.

Ratifications.

They shall be ratified by the two High Contracting Parties, and the ratifications shall be exchanged within four weeks, or sooner if possible.

In witness whereof we, the Undersigned, in virtue of our respective full powers, have signed the present Additional Articles, and have affixed thereto the seal of our arms.

Done at Liège, the 7th April, 1814.

(L.S.) EDWARD THORNTON.

(L.S.) EDMUND BOURKE.

*Non-Molestation of Inhabitants of Ceded or Restored Countries
on Account of their Political Conduct.*

It is agreed between the two High Contracting Parties, that the same security of person and property which has been stipulated by the Additional Articles signed this day, for the inhabitants of the restored or ceded countries, shall be afforded to all the subjects of His Majesty the King of the United Kingdom of Great Britain and Ireland, whether British or Hanoverians, and of His Majesty the King of Denmark, who shall have taken an active part in the present war, which has disturbed so many countries, and that no one shall be persecuted, disturbed, or troubled, on account of his political conduct or opinions during the course of the war.

This Additional Article shall make part of the Treaty signed the 14th January, 1814, and shall have the same force and validity as if it was inserted word for word in the said Treaty.

It shall be ratified by the two High Contracting Parties, and the ratifications shall be exchanged within four weeks, or sooner if possible.

In witness whereof we, the Undersigned, in virtue of our respective full powers, have signed the present Additional Article, and affixed thereto the seal of our arms.

Done at Liège, the 7th April, 1814.

(L.S.) EDWARD THORNTON.

(L.S.) EDMUND BOURKE.

No. 53.

CONVENTION OF COMMERCE BETWEEN GREAT BRITAIN AND
DENMARK, TOGETHER WITH A SEPARATE AND AN ADDITIONAL
ARTICLE THEREUNTO ANNEXED.

*Signed at London, June 16, 1824.**

His Majesty The King of the United Kingdom of Great Britain and Ireland, and His Majesty The King of Denmark,

* Signed also in French.

being equally desirous of extending and increasing the commercial intercourse between Their respective States, and of affording every facility and encouragement to Their Subjects engaged in such intercourse; and being of opinion that nothing will more contribute to the attainment of Their mutual wishes in this respect, than a reciprocal abrogation of all discriminating and countervailing Duties which are now demanded and levied upon the Ships or Productions of either Nation in the Ports of the other, have appointed Their Plenipotentiaries to conclude a Convention for that purpose, that is to say:

His Majesty The King of the United Kingdom of Great Britain and Ireland, The Right Honourable George Canning, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, and His said Majesty's Principal Secretary of State for Foreign Affairs: And The Right Honourable William Huskisson, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations, and Treasurer of His said Majesty's Navy;

And His Majesty The King of Denmark, Charles Emilius Count de Moltke, Grand Cross of the Order of Dannebrog, His said Majesty's Privy Councillor of Conferences, and His Envoy Extraordinary at the Court of His Britannick Majesty:—who, after having communicated to each other their respective Full Powers, found to be in due and proper form, have agreed upon and concluded the following Articles:—

ARTICLE I.

Vessels.—National Treatment.

From and after the 1st day of July next, Danish Vessels entering or departing from the Ports of the United Kingdom of Great Britain and Ireland, and British Vessels entering or departing from the Ports of His Danish Majesty's Dominions, shall not be subject to any other or higher Duties or Charges whatever, than are or shall be levied on National Vessels entering or departing from such Ports respectively.

ARTICLE II.

National Goods imported and exported in Vessels of either Country.

All articles of the growth, produce, or manufacture of any of the Dominions of either of The High Contracting Parties, which are or shall be permitted to be imported into or exported from the Ports of the United Kingdom and of Denmark,

respectively, in Vessels of the one Country, shall, in like manner, be permitted to be imported into and exported from those Ports in Vessels of the other.

ARTICLE III.

Foreign Goods imported in Vessels of either Country.

All articles not of the growth, produce, or manufacture of the Dominions of His Britannick Majesty, which can legally be imported from the United Kingdom of Great Britain and Ireland into the Ports of the Dominions of the King of Denmark, in British Ships, shall be subject only to the same Duties as are payable upon the like articles, if imported in Danish Ships: and the same reciprocity shall be observed, with regard to Danish Vessels, in the Ports of the said United Kingdom of Great Britain and Ireland, in respect to all articles not the growth, produce, or manufacture of the Dominions of His Danish Majesty, which can legally be imported into the Ports of the United Kingdom in Danish Ships.

ARTICLE IV.

Imports and Exports in Vessels of either Country.—Bounties.—Drawbacks.—National Treatment.

All goods, wares, and merchandize which can legally be imported into the Ports of either Country shall be admitted at the same rate of Duty, whether imported in Vessels of the other Country, or in National Vessels; and all goods, wares, or merchandize which can be legally exported from the Ports of either Country, shall be entitled to the same bounties, drawbacks, and allowances, whether exported in Vessels of the other Country, or in National Vessels.

ARTICLE V.

No Preference to be given in Purchase of Goods on Account of the Character of the Vessel in which they were imported.

No priority or preference shall be given, directly or indirectly, by the Government of either Country, or by any Company, Corporation, or Agent, acting on its behalf, or under its authority, in the purchase of any article the growth, produce, or manufacture of either Country, imported into the other, on account of, or in reference to the character of the Vessel in which such article was imported; it being the true intent and meaning of the High Contracting Parties, that no distinction or difference whatever shall be made in this respect.

ARTICLE VI.

Colonies excluded.

The High Contracting Parties having mutually determined not to include, in the present Convention, Their respective Colonies, in which are comprehended, on the part of Denmark, Greenland, Iceland, and the Islands of Ferroe; it is expressly agreed that the intercourse which may at present legally be carried on by the Subjects or Ships of either of the said High Contracting Parties with the Colonies of the other, shall remain upon the same footing as if this Convention had never been concluded.

ARTICLE VII.

Duration of Convention.

The present Convention shall be in force for the term of Ten Years from the date hereof; and further, until the end of Twelve Months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same; each of The High Contracting Parties reserving to Itself the right of giving such notice to the other, at the end of the said term of Ten Years; and it is hereby agreed between Them, that, at the expiration of Twelve Months after such notice shall have been received by either Party from the other, this Convention, and all the provisions thereof, shall altogether cease and determine.

ARTICLE VIII.

Ratifications.

The present Convention shall be ratified, and the Ratifications shall be exchanged at London within One Month from the date hereof, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the sixteenth day of June, in the year of our Lord one thousand eight hundred and twenty-four.

(L.S.)	GEORGE CANNING.
(L.S.)	W. HUSKISSON.
(L.S.)	C. E. MOLTKE.

SEPARATE ARTICLE.

Commercial Relations.—Reciprocity.

The High Contracting Parties reserve to Themselves to enter upon Additional Stipulations for the purpose of facilitating

and extending, even beyond what is comprehended in the Convention of this date, the commercial relations of Their respective Subjects and Dominions, upon the principle either of reciprocal or equivalent advantages, as the case may be:— And in the event of any Article or Articles being concluded between the said High Contracting Parties, for giving effect to such Stipulations, it is hereby agreed that the Article or Articles which may hereafter be so concluded, shall be considered as forming part of the aforesaid Convention.

The present Separate Article shall have the same force and validity as if it were inserted, word for word, in the Convention signed this day. It shall be ratified, and the Ratifications shall be exchanged at the same time.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the sixteenth day of June, in the year of our Lord one thousand eight hundred and twenty-four.

(L.S.) GEORGE CANNING.
(L.S.) W. HUSKISSON.
(L.S.) C. E. MOLTKE.

ADDITIONAL ARTICLE.

Duties on Removal of Property.—National Treatment.

Their Britannick and Danish Majesties mutually agree, that no higher or other Duties shall be levied, in either of Their Dominions (Their respective Colonies being excepted from the Convention of this date) upon any personal property of Their respective Subjects, on the removal of the same from the Dominions of Their said Majesties reciprocally, either upon the inheritance of such property, or otherwise, than are or shall be payable in each State, upon the like property, when removed by a Subject of such State respectively.

The present Additional Article shall have the same force and validity as if it were inserted, word for word, in the Convention signed this day. It shall be ratified, and the Ratifications shall be exchanged at the same time.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the sixteenth day of June, in the year of our Lord one thousand eight hundred and twenty-four.

(L.S.) GEORGE CANNING.
(L.S.) W. HUSKISSON.
(L.S.) C. E. MOLTKE.

No. 54.

DECLARATION BETWEEN GREAT BRITAIN AND DENMARK FOR THE
PROTECTION OF TRADE-MARKS.

*Signed at Copenhagen, November 28, 1879.**

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Denmark, with a view to the reciprocal protection of Trade-marks and Trade Labels, as well as Industrial Designs and Patterns, in the two countries, have agreed as follows:—

The subjects of each of the Contracting Parties shall have in the Dominions and Possessions of the other the same rights as belong to native subjects, or as are now granted, or may hereafter be granted, to the subjects of the most favoured nation, in everything relating to property in Trade-marks and Trade Labels, as well as in Industrial Designs and Patterns.

It is understood that any person who desires to obtain the aforesaid protection must fulfil the formalities required by the Laws of the respective countries.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto the seal of their arms.

Done at Copenhagen, the 28th day of November, 1879.

(L.S.) CHARLES LENNOX WYKE.
(L.S.) O. D. ROSENÖRN-LEHN.

No. 55.

ACCESSION OF DENMARK TO THE INDUSTRIAL PROPERTY
CONVENTION OF MARCH 20, 1883.

October 9, 1894.

*The Swiss Federal Council to the Earl of Kimberley.—
(Received October 13.)*

M. le Ministre,

Berne, le 9 Octobre, 1894.

NOUS avons l'honneur de porter à la connaissance de votre Excellence que le Danemark a accédé à l'Union pour la Pro-

* Signed also in Danish.

tection de la Propriété Industrielle, à partir du 1^{er} Octobre courant.

Cette accession comprend les Iles Féroé, mais ne s'étend pas, pour le moment, à l'Islande, au Groenland, et aux Antilles Danoises.

Au point de vue de la répartition des frais du Bureau International, le Danemark a demandé à figurer dans la quatrième des classes prévues sous le No. 6 du Protocole de Clôture annexé à la Convention Internationale du 20 Mars, 1883.

En priant votre Excellence de vouloir bien prendre note de ce qui précède, nous saisissons, &c.

Au nom du Conseil Fédéral Suisse :

Le Président de la Confédération,
(Signé) E. FREY.

Le Chancelier de la Confédération,
(Signé) RINGIER.

No. 56.

EXCHANGE OF NOTES BETWEEN GREAT BRITAIN AND DENMARK
AS TO THE RECIPROCAL PROTECTION OF TRADE-MARKS IN
CHINA.

^{November 11,}
^{December 11,} 1905.

(No. 1.)

Count Raben-Leyetzau to Mr. Johnstone.

Ministère des Affaires Étrangères,

Monsieur le Ministre, *Copenhague, le 11 Novembre, 1905.*

EN me demandant, par votre note du 23 Août dernier, si les Tribunaux Danois en Chine sont autorisés à punir les sujets Danois qui auraient violé en Chine des marques de fabrique et de commerce Britanniques, vous m'avez informé que votre Gouvernement, aussitôt qu'il aura reçu une réponse affirmative à cette question, prendra les mesures nécessaires pour permettre la poursuite devant les Cours Consulaires Britanniques de sujets Britanniques ayant violé des marques de fabrique et de commerce Danoises.

Considérant ce qui précède, j'ai l'honneur de vous informer que les lois Danoises visant la protection des marques de fabrique et de commerce s'appliquent en général aux sujets Danois en Chine, et que des instructions viennent d'être expédiées au Consul de Danemark à Shanghai, Juge Consulaire Danois pour toute la Chine, à l'effet de l'autoriser à protéger

les marques de fabrique et de commerce Britanniques dûment enregistrées en Danemark contre les infractions de sujets Danois en Chine dans la même mesure que les marques Danoises de la même nature.

En vous priant de rapporter ce qui précède à votre Gouvernement, je me permets d'exprimer l'attente de recevoir bientôt une note m'informant de l'envoi au Ministre Britannique à Pékin des instructions nécessaires pour assurer la réciprocité et permettant la punition par les Tribunaux Britanniques en Chine de sujets Britanniques ayant violé des marques de fabrique et de commerce Danoises.

Je saisis, &c.

(Signé) **RABEN-LEVETZAU.**

(No. 2.)

Mr. H. G. Chilton to Count Raben-Levetzau.

Monsieur le Ministre,

Copenhagen, December 11, 1905.

WITH reference to your Excellency's note to Sir A. Johnstone of the 11th ultimo, respecting the protection of British trade-marks, duly registered in Denmark, against infraction by Danish subjects in China, I have the honour to inform your Excellency that His Majesty's Minister at Peking has been requested to issue the necessary instructions to His Majesty's Consular officers in China in order that similar protection may be extended to Danish trade-marks, should they be infringed by British subjects.

I have, &c.

(Signed) **H. G. CHILTON.**

DOMINICAN REPUBLIC.

No. 56*.

ACCESSION OF THE DOMINICAN REPUBLIC TO THE CONVENTION OF
MARCH 20, 1883, FOR THE PROTECTION OF INDUSTRIAL
PROPERTY.

July 26, 1890.

M. le Ministre,

Berne, le 26 Juillet, 1890.

NOUS avons l'honneur de porter à la connaissance de votre Excellence que la Légation de la République Dominicaine à Paris a adressé au Conseil Fédéral Suisse, en date du 11 courant, une note l'informant que son Gouvernement avait décidé d'adhérer à la Convention du 20 Mars, 1883, pour la Protection de la Propriété Industrielle.

La République Dominicaine, qui avait cessé de faire partie de l'Union depuis le 15 Mars, 1889, doit donc être considérée comme un État Contractant à partir du 11 Juillet, 1890, date de la susdite Notification.

En priant votre Excellence de vouloir bien prendre note de ce qui précède, nous saisissons, &c.,

Au nom du Conseil Fédéral Suisse :

RUCHONNET, Président de la Confédération.

RINGIER, Chancelier de la Confédération.

ECUADOR.

No. 57.

CONVENTION BETWEEN GREAT BRITAIN AND ECUADOR
RELATIVE TO TRADE-MARKS.*Signed at Quito, August 26, 1892.***[Ratifications exchanged at Quito, February 3, 1893.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Excellency the President of Ecuador, desiring to conclude a Convention for the reciprocal protection of trade-marks and designs, have appointed as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, William Henry Doveton Haggard, Esq., Her Britannic Majesty's Minister Resident and Consul-General at Quito, &c., &c., and

His Excellency the President of Ecuador, Señor Don Pedro José Cevallos, His Minister Secretary of State for Foreign Affairs, &c., &c.;

Who, having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Trade-marks, &c.—National and Most-favoured-nation Treatment.

The subjects of each of the Contracting Parties shall have in the dominions and possessions of the other the same rights as are now granted, or may hereafter be granted, to native subjects or to subjects of the most favoured nation in all that relates to trade-marks, industrial designs, and patterns.

In order that such rights may be obtained, the formalities required by the laws of the respective countries must be fulfilled.

ARTICLE II.

Application of Convention to British Colonies.

The stipulations of the present Convention shall be applicable to all the Colonies and foreign possessions of Her Britannic

* Signed also in Spanish.

Majesty, excepting to those hereinafter named, that is to say, except to—

India.	Victoria.
The Dominion of Canada.	Queensland.
Newfoundland.	Tasmania.
The Cape of Good Hope.	South Australia.
Natal.	Western Australia.
New South Wales.	New Zealand.

Provided always that the stipulations of the present Convention shall be made applicable to any of the above-mentioned Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative to the President of Ecuador within one year from the date of the exchange of ratifications of the present Convention.

ARTICLE III.

Ratifications.

The present Convention shall be ratified, and the ratifications shall be exchanged at Quito as soon as possible.

It shall come into operation one month after the exchange of ratifications, and shall remain in force until the expiration of one year from the day on which either Party may give notice of its intention to terminate it.

In witness whereof the Undersigned have signed the same, and have affixed thereto the seal of their arms.

Done in duplicate at Quito, the twenty-sixth day of August, one thousand eight hundred and ninety-two.

(Signed) (L.S.) W. H. D. HAGGARD.
(L.S.) PEDRO JOSÉ CEVALLOS.

LIST OF BRITISH COLONIES AND FOREIGN POSSESSIONS WHICH HAVE ACCEDED TO THE ABOVE CONVENTION UNDER ARTICLE II:

1. Cape of Good Hope	} July 3, 1893.
2. Natal	
3. Newfoundland ..	
4. Queensland	
5. New Zealand ..	
6. India	July 29, 1893.
7. Canada	August 28, 1893.

THE FOLLOWING COLONIES HAVE NOT ACCEDED TO THE CONVENTION:

- | | |
|-----------------------|---------------------|
| 1. Victoria. | 4. New South Wales. |
| 2. South Australia. | 5. Tasmania. |
| 3. Western Australia. | |

EGYPT.

No. 58.

COMMERCIAL CONVENTION BETWEEN GREAT BRITAIN AND EGYPT.

*Signed at Cairo, October 29, 1889.**

THE Undersigned, Sir Evelyn Baring, G.C.M.G., K.C.B., K.C.S.I., C.I.E., Minister Plenipotentiary, Agent and Consul-General of Her Britannic Majesty in Egypt, and his Excellency Zoulfikar Pasha, Minister for Foreign Affairs of the Government of His Highness the Khedive of Egypt;

Duly authorized by their respective Governments, and so far as Egypt is concerned within the limits of the powers conferred by the Imperial Firmans, have agreed to the following:—

ARTICLE I.

Freedom of Commerce and Navigation. — National Treatment.

There shall be reciprocal freedom of commerce and navigation between the United Kingdom of Great Britain and Ireland and Egypt. British subjects in Egypt, and Egyptians in the United Kingdom of Great Britain and Ireland, shall have liberty freely to come, with their ships and cargoes, to all places and ports in the other country to which natives are or may be permitted to come, and shall enjoy respectively the same rights, privileges, liberties, favours, immunities and exemptions in matters of commerce and navigation as are or may be enjoyed by natives, without having to pay any tax or impost greater than those paid by the same.

* Signed also in French.

ARTICLE II.

Imports: Duties and Prohibitions.—Most favoured-nation Treatment.

No other or higher duties shall be imposed on the importation into the United Kingdom of Great Britain and Ireland of any article, the produce or manufacture of Egypt, from whatever place arriving, and no other or higher duties shall be imposed on the importation into Egypt of any article, the produce or manufacture of the United Kingdom of Great Britain and Ireland, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of either of the Contracting Countries, into the other, from whatever place arriving, which shall not equally extend to the importation of the like article being the produce or manufacture of any other foreign country.

Sanitary, &c., Prohibitions.

This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture.

Exceptions.

Tobacco of all kinds, tombac, salt, saltpetre, natron, hasheesh, arms of every description, ammunition, gunpowder, and explosible material, are excluded from the stipulations of the present Convention.

ARTICLE III.

Exports.—Most-favoured-nation Treatment.

No other or higher duties or charges shall be imposed in the United Kingdom of Great Britain and Ireland or in Egypt respectively on the exportation of any article to the other Contracting Country than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from either of the two Contracting Countries to the other which shall not equally extend to the exportation of the like article to any other foreign country.

ARTICLE IV.

Commerce and Navigation.—Most-favoured-nation Treatment.

The Contracting Governments agree that in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which one Contracting Party has actually granted, or may hereafter grant, to the natives of any other State shall, on the demand of the other Contracting Government, be immediately and unconditionally extended to the natives of the other Contracting Party, which shall, by the simple fact of such demand, assume, as regards Administrative Regulations of Customs, Coast-Guard, and Police, all the obligations incumbent on the State with which it demands assimilation.

ARTICLE V.

Vessels.—National Treatment.

British ships shall, in Egypt, and Egyptian vessels shall, in the United Kingdom of Great Britain and Ireland, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships.

Harbour, &c., Dues.—Pilotage, &c.—National Treatment.

The preceding stipulation applies to local treatment, dues and charges in the ports, basins, docks, roadsteads, and harbours of the two countries, pilotage, and generally to all matters connected with navigation.

National Vessels.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to Egyptian law, are to be deemed Egyptian vessels, shall, for the purposes of this Convention, be respectively deemed British or Egyptian vessels.

Coasting Trade and Interior Navigation excepted.

The coasting trade and interior navigation, however, are excepted from the preceding stipulations, and remain subject to the respective laws of the two countries.

Imports and Exports in Vessels of either Country.—National Treatment.

All articles, from whatever place arriving, and whatever may be their place of origin, may be imported or exported in the vessels of the Contracting Parties without being liable to any other restriction or higher duties in the other country than if the articles were exported or imported in native vessels, or in those of any other State.

ARTICLE VI.*

Ad valorem Duties.—National and most-favoured-nation Treatment.

The undermentioned goods, the produce or manufacture of the United Kingdom of Great Britain and Ireland, shall pay, on importation into Egypt, duty not exceeding 10 per cent. *ad valorem*, viz.:—

1. Metals, raw, partially manufactured and wholly manufactured, including machinery and parts thereof, agricultural machines and implements, railway and tramway carriages and engines, hardware, and all articles of which metals (except gold or silver) are the principal component.

2. Cutlery, ordinary, that is to say, with handles of any material except gold, silver, pearl, or tortoiseshell.

3. Yarns, threads, cordage, and cables, nets, velvets, and all other fabrics, plain, open-work, or fancy, unbleached, bleached, printed or dyed, manufactured from any vegetable fibre, such as cotton, jute, flax, hemp, reed, palm, aloë, or the like.

4. Yarns and fabrics as enumerated in Class 3 manufactured from wool, worsted, mohair, vicuna, camel-hair, or any animal fibre except silk.

5. Mixed fabrics of the materials enumerated in Classes 3 and 4, and also with an admixture of silk or waste silk not exceeding 20 per cent. in weight of the whole fabric.

6. Coal.

7. Indigo.

8. Rice.

9. Oil-seeds.

The Egyptian Government preserves an absolute right respecting the taxation of all other articles. The Regulations and tariffications of such other articles shall be applicable to British subjects under the same conditions as to natives or to foreigners the most favoured in that respect.

* In suspension in virtue of Article XIV.

The duties *ad valorem* levied in Egypt on goods the produce or manufacture of the United Kingdom of Great Britain and Ireland shall be calculated on the value at the place of shipment or the purchase of the object imported, with the addition of the cost of transport, including insurance, necessary for the importation into Egypt as far as the port of discharge.

For the levying of these duties the importer shall make a written declaration at the Custom-house, stating the description of the goods imported and their value at the port of discharge.

The Customs may further, in contested cases, insist on the production of all the documents which should accompany consignments of merchandise, such as invoices, policies of insurance, correspondence, &c.

If the Custom-house authorities shall be of opinion that the declared value is insufficient, they shall be at liberty to take the goods on paying to the importer the price declared by him, with an addition of 5 per cent. This payment, together with the restitution of any duty which may have been levied upon such goods, shall be made within the fifteen days following the declaration.

The said authorities shall also have the right of taking the duties in kind. In order to take the duties in kind the Customs shall have the right of selecting the articles according to their declared value until the amount due to them shall be reached.

ARTICLE VII.

Establishment of a Tariff.

In order to establish for a fixed period the value at the port of entry of the principal articles taxed *ad valorem*, the Administration of the Egyptian Customs shall invite the principal merchants interested in the trade of the said articles to proceed in common with them to establish a Tariff for a period not exceeding twelve months.

The Tariff thus fixed shall, until a Chamber of Commerce representing the entire trade of Alexandria shall have been created, be communicated by the Egyptian Customs to the British Consulate of Alexandria, and shall be considered as officially recognized, as regards British produce and subjects, if the Consulate makes no formal opposition during the fortnight following this communication.

ARTICLE VIII.

Export Duties.

Export duties may be levied in Egypt at the rate not exceeding 1 per cent. *ad valorem*.

The value of articles exported shall be determined by the Customs, who will, as far as possible, cause periodic Tariffs to be established.

The Egyptian Government reserves the right to insist on the exporter of the articles producing proof of the payment of the special internal taxes to which the articles in question may be liable; if the said proof is not furnished, the exportation of the articles may be prohibited.

Merchandise to be transhipped, whether directly or after having been conveyed by rail across Egyptian territory, or placed in bonded stores, is free from all import or export duty. But articles intended for the use of the vessels which ship them are liable to a duty equivalent to the export duty, *i.e.*, 1 per cent. *ad valorem*.

ARTICLE IX.

Excise Tax.—Most-favoured-nation Treatment.—Special Taxes, &c.—National Treatment.

If one of the Contracting Parties shall impose an excise tax, that is to say, an inland duty, upon any article of home production or manufacture, an equivalent compensatory duty may be imposed on articles of the same description on their importation from the territories of the other country, provided that the said equivalent duty is levied on like articles on their importation from all foreign countries.

In the event of the reduction or suppression of excise taxes, that is to say, inland duties, a corresponding reduction or suppression shall at the same time be made in the equivalent compensatory import duty on the produce or manufactures of British or Egyptian origin, as the case may be.

The Regulations concerning special taxes and accessory customs duties, such as, dues for porters, warehousing, deposit, dues for quays, cranes, sluices, "tamkin," leading, permits to pass, declarations, weighing, measuring, and all other, shall be applied by the Customs of the two Contracting Countries to the natives and merchandize of the other as to their own natives and merchandize.

Exceptions.

The preceding stipulations in nowise affect the right of Municipalities and Communes to levy, for their profit, octroi and excise duties on beverages and liquids, provisions and fodder, combustibles and building materials on their introduction into the Municipality or Commune for consumption therein even in case articles of a similar description should not exist in Egypt.

ARTICLE X.

Commercial Travellers' Patterns or Samples.

Articles liable to duty, serving as patterns or samples, which shall be introduced into the United Kingdom by Egyptian commercial travellers, or into Egypt by commercial travellers of the United Kingdom, shall be admitted free of duty, subject to the following formalities requisite to insure their being re-exported or placed in bond :—

1. The officers of Customs at any port or place at which the patterns and samples may be imported shall ascertain the amount of duty chargeable thereon. That amount must either be deposited by the commercial traveller at the Custom-house in money, or ample security must be given for it.

2. For the purpose of identification, each separate pattern or sample shall, as far as possible, be marked by the affixing of a stamp, or by means of a seal being attached to it.

3. A permit or certificate shall be given to the importer, which shall contain—

(a.) A list of the patterns or samples imported, specifying the nature of the goods, and also such particular marks as may be proper for the purpose of identification ;

(b.) A statement of the duty chargeable on the patterns or samples, as also whether the amount was deposited in money, or whether security was given for it ;

(c.) A statement showing the manner in which the patterns or samples were marked ;

(d.) The appointment of a period which, at the utmost, must not exceed twelve months, at the expiration of which, unless it is proved that the patterns or samples have been previously re-exported or placed in bond, the amount of duty deposited will be carried to the public account, or the amount recovered under the security given. No charge shall be made to the importer for the above permit or certificate, or for marking for identification.

4. Patterns or samples may be re-exported through the Custom-house through which they were imported, or through any other.

5. If before the expiration of the appointed time (paragraph 3 (d)) the patterns or samples should be presented at the Custom-house of any port or place for the purpose of re-exportation or being placed in bond, the officers at such port or place must satisfy themselves by examination whether the articles which are brought to them are the same as those for which the permit of entry was granted. If so satisfied, the officers will certify the re-exportation or deposit in bond, and

will refund the duty which had been deposited, or will take the necessary steps for discharging the security.

ARTICLE XI.

Free Delivery of Effects of Consular Officers.

Are alone exempt from all control in Egyptian Custom-houses on importation and exportation, as well as from the payment of duties, articles, and personal effects belonging to Consuls-General, and Consuls in the regular Consular Service ("Consuls de carrière"), having no other business, engaged neither in trade nor industry, and neither possessing nor working real property in Egypt.

ARTICLE XII.

Regulations for Supervision of Vessels, Searching for Contraband, Prevention of Smuggling, &c.—Most-favoured-nation Treatment.

Each of the two Contracting Governments has the right to put into force any Regulations required for the working of their Services and for the suppression of fraud, as well as any measures dictated by reasons of public health or security, on condition that such Regulations are equally applied to the ships and subjects of all other nations.

Such Regulations, including the supervision of ships and the searching for, or pursuit of, contraband goods, as well as the fines and other penalties therein made applicable in case of false declaration; smuggling, or attempting to smuggle, fraud, or attempting to defraud, or any infringement of the Regulations, shall, together with the measures that may be taken in regard to public health or security, be applicable in either of the two countries to the natives of the other under the same conditions as to natives of the country itself.

If, however, the Egyptian authorities should desire to search the dwelling-house of a British subject, or a British ship anchored in an Egyptian port, a duplicate of the search-warrant shall be sent to the British Consular authority, who may at once take part if he thinks proper to do so, without the formality in question delaying the search, and no such search shall be made except between sunrise and sunset.

It is understood, however, that the preceding stipulation shall not apply to cases in which the search is to be made in a warehouse or dépôt, or on board a ship which may have remained in an Egyptian port, for any reason whatsoever, more than twenty-one days. In such cases notification to the British Consular authority will not be necessary.

It is further understood that the Egyptian Government may, without notification to the British Consular authorities, put guards on board any British ship in an Egyptian port or traversing the Suez Canal.

In cases of suspicion of smuggling, the Egyptian Customs officers may board and seize any British ship of less than 200 tons burthen at anchor outside an Egyptian port, or sailing within 10 kilom. of the shore. Ships of less than 200 tons burthen may, moreover, be boarded and seized beyond the 10 kilom. limit, if the pursuit shall have been commenced within such limit.

Except in the cases provided for in paragraphs 3 and 4 of this Article, no British ship exceeding 200 tons burthen shall be boarded or seized by the Egyptian Customs officers.

ARTICLE XIII.

Special Arrangements with other Parts of the Ottoman Empire, with Persia and with the Soudan, are excepted from Provisions of this Convention.

The provisions of the preceding Articles do not apply—

1. To the special arrangement existing, or which may in the future exist, between Egypt and the other parts of the Ottoman Empire, under the direct administration of the Porte, or between Egypt and Persia.

2. To the arrangements which the Egyptian Government may make for the exchange of native or foreign merchandize with the Soudan.

ARTICLE XIV.

Alterations of Tariff Duties provided in Article VI, in suspension until they are applicable to all other Interested Powers.

The effect of the alterations of the present Tariff of duties, provided under Article VI, remains suspended until the alterations in question are also applicable to all other interested Powers.

ARTICLE XV.

Application of Convention to Colonies.

The stipulations of the present Convention shall be applicable, as far as the laws permit, to all the Colonies and foreign

possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

The Dominion of Canada.	Queensland.
Newfoundland.	Tasmania.
The Cape.	South Australia.
Natal.	Western Australia.
New South Wales.	New Zealand.
Victoria.	

Provided always that the stipulations of the present Convention shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given to the Egyptian Government by Her Britannic Majesty's Representative at Cairo, within one year from the date of the signature of the present Convention.

ARTICLE XVI.

Duration of Convention.

The present Convention shall come into force on the 1st January, 1890, and shall remain in force for ten years from that date. And in case neither of the two Contracting Parties shall have notified twelve months before the expiration of the said period of ten years its intention of putting an end to the present Convention, it shall remain binding until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice.

In witness whereof the Undersigned have signed the present Convention, and have affixed thereto their Seals.

Done in duplicate, at Cairo, the twenty-ninth day of October, one thousand eight hundred and eighty-nine.

(L.S.) EVELYN BARING.
(L.S.) ZOULFIKAR.

LIST OF BRITISH COLONIES WHICH HAVE ACCEDED TO THE ABOVE CONVENTION UNDER ARTICLE XV:

Natal.	Queensland.
Newfoundland.	Tasmania.
New Zealand.	

THE FOLLOWING BRITISH COLONIES HAVE DECLINED TO ACCEDE TO THE CONVENTION:

Canada.	South Australia.
Cape of Good Hope.	Victoria.
New South Wales.	Western Australia.

FRANCE.

No. 59.

**CONVENTION OF COMMERCE AND NAVIGATION BETWEEN GREAT
BRITAIN AND FRANCE.**

*Signed at London, January 26, 1826.**

In the Name of the Most Holy Trinity.

HIS Majesty The King of the United Kingdom of Great Britain and Ireland, on the one part, and His Majesty The King of France and Navarre, on the other part, being equally animated by the desire of facilitating the commercial Interchange between Their respective Subjects; and being persuaded that nothing can more contribute to the fulfilment of Their mutual wishes in this respect, than to simplify and equalize the Regulations which are now in force relative to the Navigation of both Kingdoms, by the reciprocal abrogation of all discriminating duties levied upon the Vessels of either of the two Nations in the Ports of the other, whether under the head of duties of tonnage, harbour, lighthouse, pilotage, and others of the same description, or in the shape of increased duties upon goods on account of their being imported or exported in other than National Vessels;—have named as Their Plenipotentiaries to conclude a Convention for this purpose, that is to say:

His Majesty The King of the United Kingdom of Great Britain and Ireland, The Right Honourable George Canning, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, and His said Majesty's Principal Secretary of State for Foreign Affairs; and The Right Honourable William Huskisson, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations, and Treasurer of His said Majesty's Navy:

And His Majesty the King of France and Navarre, The Prince Jules, Count de Polignac, a Peer of France, Maréchal-de-Camp of His Most Christian Majesty's Forces, Knight of the Royal and Military Order of St. Louis, Officer of the Royal Order of the Legion of Honour, Grand Cross of the Order of

* Signed also in French.

St. Maurice of Sardinia, Aide-de-Camp of His Most Christian Majesty, and His Ambassador at the Court of His Britannick Majesty :

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Tonnage, Lighthouse, Harbour, Pilotage, Quarantine, and other Dues.—National Treatment.

From and after the Fifth of April of the present year, French Vessels coming from or departing for the Ports of France, or, if in ballast, coming from, or departing for any place, shall not be subject, in the Ports of the United Kingdom, either on entering into, or departing from the same, to any higher duties of tonnage, harbour, lighthouse, pilotage, quarantine, or other similar or corresponding duties, of whatever nature or under whatever denomination, than those to which British Vessels, in respect of the same voyages, are or may be subject, on entering into or departing from such Ports; and, reciprocally, from and after the same period, British Vessels coming from or departing for the Ports of the United Kingdom, or, if in ballast, coming from or departing for any place, shall not be subject, in the Ports of France, either on entering into, or departing from the same, to any higher duties of tonnage, harbour, lighthouse, pilotage, quarantine, or other similar, or corresponding duties, of whatever nature, or under whatever denomination, than those to which French Vessels, in respect of the same voyages, are or may be subject, on entering into or departing from such Ports; whether such duties are collected separately, or are consolidated in one and the same duty;—His Most Christian Majesty reserving to Himself to regulate the amount of such duty or duties in France, according to the rate at which they are or may be established in the United Kingdom: at the same time, with the view of diminishing the burthens imposed upon the Navigation of the Two Countries, His Most Christian Majesty will always be disposed to reduce the amount of the said burthens in France, in proportion to any reduction which may hereafter be made of those now levied in the Ports of the United Kingdom.

ARTICLE II.

Imports in Vessels of either Country.—National Treatment.

Goods, wares, and merchandize, which can or may be legally imported into the Ports of the United Kingdom from the Ports of France, if so imported in French Vessels, shall be subject to

no higher duties than if imported in British Vessels, and, reciprocally, goods, wares, and merchandize, which can or may be legally imported into the Ports of France, from the Ports of the United Kingdom, if so imported in British Vessels, shall be subject to no higher duties than if imported in French Vessels.

Exceptions and Reservations.

The produce of Asia, Africa, and America, not being allowed to be imported from the said Countries, nor from any other, in French Vessels, nor from France in French, British, or any other Vessels, into the Ports of the United Kingdom, for home consumption, but only for warehousing and re-exportation, His Most Christian Majesty reserves to Himself to direct that, in like manner, the produce of Asia, Africa, and America, shall not be imported from the said Countries, nor from any other, in British Vessels, nor from the United Kingdom in British, French, or any other Vessels, into the Ports of France, for the consumption of that Kingdom, but only for warehousing and re-exportation.

European Goods.

With regard to the productions of the Countries of Europe, it is understood between the High Contracting Parties, that such productions shall not be imported, in British Ships, into France, for the consumption of that Kingdom, unless such Ships shall have been laden therewith in some Port of the United Kingdom; and that His Britannick Majesty may adopt, if He shall think fit, some corresponding restrictive measure, with regard to the productions of the Countries of Europe, imported into the Ports of the United Kingdom in French Vessels: the High Contracting Parties reserving, however, to Themselves the power of making, by mutual consent, such relaxations in the strict execution of the present Article, as They may think useful to the respective interests of the two Countries, upon the principle of mutual concessions, affording each to the other reciprocal or equivalent advantages.

ARTICLE III.

Exports in Vessels of either Country.—Bounties, Drawbacks, &c.—National Treatment.

All goods, wares, and merchandize, which can or may be legally exported from the Ports of either of the two Countries, shall, on their export, pay the same duties of exportation, whether the exportation of such goods, wares, and merchandize, be made in British or in French Vessels, provided the said Vessels proceed, respectively, direct from the Ports of the one

Country to those of the other. And all the said goods, wares and merchandize, so exported in British or French Vessels, shall be reciprocally entitled to the same bounties, drawbacks, and other allowances of the same nature, which are granted by the regulations of each Country, respectively.

ARTICLE IV.

Vessels.—Most-favoured-nation Treatment.

It is mutually agreed between the High Contracting Parties, that in the intercourse of Navigation between Their two Countries, the Vessels of any third Power shall, in no case, obtain more favourable conditions than those stipulated in the present Convention, in favour of British and French Vessels.

ARTICLE V.

Fishing-boats sheltering in Ports.

The fishing-boats of either of the two Countries, which may be forced by stress of weather to seek shelter in the Ports, or on the Coast of the other Country, shall not be subject to any duties or port charges, of any description whatsoever: Provided the said boats, when so driven in by stress of weather, shall not discharge or receive on board any cargo, or portion of cargo, in the Ports, or on the parts of the Coast where they shall have sought shelter.

ARTICLE VI.

Provisions to be extended to Possessions in Europe.

It is agreed that the provisions of the present Convention between the High Contracting Parties shall be reciprocally extended, and in force, in all the Possessions subject to their respective Dominion in Europe.

ARTICLE VII.

Duration of Convention.

The present Convention shall be in force for the term of ten years, from the Fifth of April of the present year; and further, until the end of twelve months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate its operation; each of the High Contracting Parties reserving to Itself the right of giving such

notice to the other, at the end of the said term of ten years : And it is agreed between Them, that, at the end of the twelve months' extension agreed to on both sides, this Convention, and all the stipulations thereof, shall altogether cease and determine.

ARTICLE VIII.

Ratifications.

The present Convention shall be ratified, and the Ratifications shall be exchanged in London, within the space of one month, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the twenty-sixth day of January, in the year of our Lord one thousand eight hundred and twenty-six.

(L.S.) GEORGE CANNING.

(L.S.) WILLIAM HUSKISSON.

(L.S.) LE PRINCE DE POLIGNAC.

ADDITIONAL ARTICLES.

ARTICLE I.

Imports to Colonies in Vessels of either Country.—National Treatment.

From and after the First of October of the present year, French Vessels shall be allowed to sail from any Port whatever of the Countries under the Dominion of His Most Christian Majesty, to all the Colonies of the United Kingdom, (except those possessed by the East India Company) and to import into the said Colonies all kinds of merchandize, (being productions the growth or manufacture of France, or of any Country under the Dominion of France) with the exception of such as are prohibited to be imported into the said Colonies, or are permitted to be imported only from Countries under the British Dominion ; and the said French Vessels, as well as the merchandize imported in the same, shall not be subject, in the Colonies of the United Kingdom, to other or higher duties than those to which British Vessels may be subject, on importing the same merchandize from any Foreign Country, or which are imposed upon the merchandize itself.

The same facilities shall be granted, reciprocally, in the Colonies of France, with regard to the importation, in British

Vessels, of all kinds of merchandize, (being productions the growth and manufacture of the United Kingdom, or of any Country under the British Dominion) with the exception of such as are prohibited to be imported into the said Colonies, or are permitted to be imported only from Countries under the Dominion of France. And whereas all goods, the produce of any Foreign Country, may now be imported into the Colonies of the United Kingdom, in the Ships of that Country, with the exception of a limited List of specified Articles, which can only be imported into the said Colonies in British Ships, His Majesty the King of the United Kingdom reserves to Himself the power of adding to the said List of excepted Articles any other, the produce of the French Dominions, the addition whereof may appear to His Majesty to be necessary for placing the Commerce and Navigation to be permitted to the Subjects of each of the High Contracting Parties with the Colonies of the other upon a footing of fair reciprocity.

ARTICLE II.

Exports from Colonies in Vessels of either Country.—Bounties, Drawbacks, &c.—National Treatment.

From and after the same period, French Vessels shall be allowed to export from all the Colonies of the United Kingdom (except those possessed by the East India Company) all kinds of merchandize, which are not prohibited to be exported from such Colonies in Vessels other than those of Great Britain; and the said Vessels, as well as the merchandize exported in the same, shall not be subject to other or higher duties than those to which British Vessels may be subject, on exporting the said merchandize, or which are imposed upon the merchandize itself; and they shall be entitled to the same bounties, drawbacks, and other allowances of the same nature, to which British Vessels would be entitled, on such exportation.

The same facilities and privileges shall be granted, reciprocally, in all the Colonies of France, for the exportation, in British Vessels, of all kinds of merchandize, which are not prohibited to be exported from such Colonies in Vessels other than those of France.

These two Additional Articles shall have the same force and validity as if they were inserted, word for word, in the Convention signed this day. They shall be ratified, and the Ratifications shall be exchanged at the same time.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the twenty-sixth day of January, in the year of our Lord one thousand eight hundred and twenty-six.

(L.S.) GEORGE CANNING.
 (L.S.) WILLIAM HUSKISSON.
 (L.S.) LE PRINCE DE POLIGNAC.

No. 60.

CONVENTION BETWEEN GREAT BRITAIN AND FRANCE RELATIVE
 TO JOINT STOCK COMPANIES.

*Signed at Paris, April 30, 1862.**

[*Ratifications exchanged at Paris, May 15, 1862.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, having judged it expedient to come to an understanding in order to define, within their respective dominions and possessions, the position of commercial, industrial, and financial companies and associations constituted and authorized in conformity with the laws in force in either of the two countries, have resolved to conclude a Convention for that purpose, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry Richard Charles Earl Cowley, Her Majesty's Ambassador Extraordinary and Plenipotentiary to the Emperor of the French ;

And His Majesty the Emperor of the French, M. Edouard Antoine Thouvenel, Senator, His Minister and Secretary of State for the Department for Foreign Affairs ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Companies to have access to Tribunals.

The High Contracting Parties declare that they mutually grant to all Companies and other Associations, commercial, industrial, or financial, constituted and authorized in conformity

* Signed also in French.

with the laws in force in either of the two countries, the power of exercising all their rights, and of appearing before the Tribunals, whether for the purpose of bringing an action, or for defending the same, throughout the dominions and possessions of the other Power, subject to the sole condition of conforming to the laws of such dominions and possessions.

ARTICLE II.

Application of Convention to Companies, &c., constituted previously to its Signature.

It is agreed that the stipulations of the preceding Article shall apply as well to Companies and Associations constituted and authorized previously to the signature of the present Convention, as to those which may subsequently be so constituted and authorized.

ARTICLE III.

Duration of Convention.

The present Convention is concluded without limit as to duration. Either of the High Powers shall, however, be at liberty to terminate it by giving to the other a year's previous notice. The two High Powers, moreover, reserve to themselves the power to introduce into the Convention, by common consent, any modifications which experience may show to be desirable.

ARTICLE IV.

Ratifications.

The present Convention shall be ratified, and the ratifications shall be exchanged at Paris in fifteen days, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done in duplicate at Paris, the 30th of April, 1862.

(L.S.) COWLEY.
(L.S.) THOUVENEL.

No. 61.

CONVENTION BETWEEN GREAT BRITAIN AND FRANCE TO REGULATE THE COMMERCIAL AND MARITIME RELATIONS BETWEEN THE TWO COUNTRIES.

*Signed at Paris, February 28, 1882.**

[Ratifications exchanged at Paris, May 12, 1882.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the President of the French Republic, being equally animated with the desire of maintaining the ties of friendship which unite the two countries, and considering that the Treaties prolonged by the Declaration of the 4th of this month are to come to an end on the 1st March next, have determined to conclude a Convention to regulate the commercial and maritime relations of the two countries, as well as the status of their subjects, and they have, accordingly, appointed their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Richard Bickerton Pemell Viscount Lyons, a Peer of the United Kingdom of Great Britain and Ireland, Knight Grand Cross of the Most Honourable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, one of Her Britannic Majesty's Most Honourable Privy Council, and Her said Majesty's Ambassador Extraordinary and Plenipotentiary to the Government of the French Republic;

And the President of the French Republic, M. Louis Charles de Saulces de Freycinet, Senator, President of the Council, Minister of Foreign Affairs, Officer of the National Order of the Legion of Honour; M. Pierre Tirard, Deputy, Minister of Commerce; and M. Maurice Rouvier, Deputy, formerly Minister of Commerce and of the Colonies;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Imports.—Customs Tariff.—Most-favoured-nation Treatment.

The Customs Tariff for goods the produce or manufacture of the United Kingdom on their importation into France and

* Signed also in French.

Algeria, and for goods the produce or manufacture of France or Algeria on their importation into the United Kingdom being from henceforth regulated by the internal legislation of each of the two States,* the High Contracting Parties guarantee to each other reciprocally in the United Kingdom and in France and Algeria in all other matters the treatment of the most-favoured-nation.

Commerce and Industry.—Most-favoured-nation Treatment.

It is therefore understood that, with the exception above stated, each of the High Contracting Parties engages to give the other immediately and unconditionally the benefit of every favour, immunity or privilege in matters of commerce or industry which have been or may be conceded by one of the High Contracting Parties to any third nation whatsoever, whether within or beyond Europe.

Transit, Warehousing, Exportation, Re-exportation, Local Dues, Brokerage, Customs Formalities, Trade, Residence, Professions, Taxes, &c., Legal Rights, Acquisition and Disposal of Property.—Most-favoured-nation Treatment.

It is likewise understood that in all that relates to transit, warehousing, exportation, re-exportation, local dues, brokerage, Customs formalities, samples, and likewise in all matters relating to the exercise of commerce and industry, and in respect to residence, whether temporary or permanent, the exercise of any calling or profession, the payment of taxes or other impositions, and the enjoyment of all legal rights and privileges, including the acquiring, holding, and power of disposing of property, British subjects in France or in Algeria, and French in the United Kingdom, shall enjoy the treatment of the most favoured nation.

ARTICLE II.

Transit: Exemption from Duties.—Most-favoured-nation Treatment.—Prohibitions: Munitions of War, Spurious Imitations.—Sanitary Precautions, &c.

The transit of goods of all kinds to and from the United Kingdom shall be free from all transit duties in France and Algeria, and the transit of goods to and from France and Algeria shall be free from all transit duties in the United Kingdom.

The two Governments reserve the faculty of excluding from transit arms and munitions of war, and spurious imitations.

* By a French law promulgated on the 27th February, 1882, it was declared that from that date goods of English origin or manufacture should be liable on their entry into France to the same treatment as those of the most favoured nations, with the exception of *Colonial produce*, which, it was declared, would remain subject to the General Customs Tariff. Parliamentary Paper, "Commercial No. 9 (1882)," p. 286.

The treatment of the most favoured nation is reciprocally guaranteed to each of the two countries in all that concerns transit.

It is understood that each of the two High Contracting Parties reserves to itself to decide as regards goods and merchandize passing from one or other of the two countries, on such prohibitions or temporary restrictions of import, export, or transit which they may think necessary to enforce for sanitary reasons, to prevent the spread of cattle diseases, or the destruction of crops, or in view of events of war.

ARTICLE III.

Prohibitions of Imports and Exports.—Most-favoured-nation Treatment.

The High Contracting Parties engage not to enforce one against the other any prohibition of importation or exportation which shall not at the same time be applicable to all other nations.

ARTICLE IV.

Duties of Octroi, Excise and Internal Consumption.—National Treatment.

Goods, the produce or manufacture of the United Kingdom imported into France or Algeria, shall not be subject to any other or higher duties of octroi, excise, or internal consumption than those which are or may be charged upon the like goods of French origin; and in like manner goods, the produce or manufacture of France or Algeria, imported into the United Kingdom shall not be subject to any other or higher duties of octroi, excise, or internal consumption than those which are or may be charged upon the like goods of British origin.

ARTICLE V.

Importation of Machinery.

The importer of machines and mechanical instruments, complete or in detached pieces, shall be exempt from the obligation of producing at the Customs any model or drawing of the imported article.

ARTICLE VI

Commercial Travellers' Patterns and Samples.

Articles liable to duty, serving as patterns or samples, which shall be introduced into the United Kingdom by French com-

mercial travellers, or into France and Algeria by commercial travellers of the United Kingdom, shall be admitted free of duty, subject to the following formalities requisite to insure their being re-exported or placed in bond:—

1. The officers of Customs at any port or place at which the patterns and samples may be imported shall ascertain the amount of duty chargeable thereon. That amount must either be deposited by the commercial traveller at the Custom-house in money, or ample security must be given for it.

2. For the purpose of identification, each separate pattern or sample shall, as far as possible, be marked by the affixing of a stamp, or by means of a seal being attached to it.

3. A permit or certificate shall be given to the importer which shall contain—

(a.) A list of the patterns or samples imported, specifying the nature of the goods, and also such particular marks as may be proper for the purpose of identification;

(b.) A statement of the duty chargeable on the patterns or samples, as also whether the amount was deposited in money, or whether security was given for it;

(c.) A statement showing the manner in which the patterns or samples were marked;

(d.) The appointment of a period, which at the utmost must not exceed twelve months, at the expiration of which, unless it is proved that the patterns or samples have been previously re-exported or placed in bond, the amount of duty deposited will be carried to the public account or the amount recovered under the security given. No charge shall be made to the importer for the above permit or certificate, or for marking for identification.

4. Patterns or samples may be re-exported through the Custom-house through which they were imported, or through any other.

5. If before the expiration of the appointed time (paragraph 3 d) the patterns or samples should be presented at the Custom-house of any port or place for the purpose of re-exportation or being placed in bond, the officers at such port or place must satisfy themselves by examination whether the articles which are brought to them are the same as those for which the permit of entry was granted. If so satisfied, the officers will certify the re-exportation or deposit in bond, and will refund the duty which had been deposited, or will take the necessary steps for discharging the security.

ARTICLE VII.

Vessels and Cargoes.—National Treatment.

British ships and their cargoes shall in France and Algeria, and French ships and their cargoes shall, in the United Kingdom

of Great Britain and Ireland, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes.

ARTICLE VIII.

Tonnage, Landing, and Shipping Dues.—National Treatment.

The two High Contracting Parties reserve to themselves the power of levying tonnage, landing or shipping dues in order to pay the expenses of all necessary establishments at the ports of importation and exportation, but all these dues, whether levied by the State, towns, Chambers of Commerce, or any other corporate body, shall never be other nor higher than those which are or may be applicable to national ships and their cargoes to whatever ports they may belong, the wish of the High Contracting Parties being that in this respect English and French vessels and their cargoes shall be treated on a footing of perfect equality.

Stationing, Loading and Unloading of Vessels.—Harbour Dues, &c.—National Treatment.

But in all that relates to local treatment the placing, loading, and unloading of vessels, as well as the dues and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, and generally in respect of all formalities or regulations to which merchant-ships, their crews and cargoes are subject, the privileges, favours, or advantages which are or shall be granted to national vessels generally, or to the goods imported or exported in them, shall be equally granted to the vessels of the other country, and to the goods imported or exported in them.

ARTICLE IX.

Coasting Trade and Fisheries excepted.

The coasting trade is excepted from the stipulations of the present Convention, and remains subject to the respective laws of the two countries.

The fisheries are also excepted and remain subject to the special Conventions for the time being existing between and to the respective laws of the two countries.

ARTICLE X.

Trade-marks.—National Treatment.

The subjects of each of the two High Contracting Parties shall, in the dominions of the other, enjoy the same protection

and be subject to the same conditions as native subjects in regard to the rights of property in trade-marks, names of firms, and other distinctive marks showing the origin or quality of goods, as well as in patterns and designs for manufacture.

ARTICLE XI.

Exemption from Military Service, Forced Loans, &c.— Landed Property excepted.

The subjects of the High Contracting Parties shall be exempted from military service, requisitions, and contributions of war, forced loans, advances, and other contributions leviable under exceptional circumstances in so far as these contributions are not imposed on landed property.

ARTICLE XII.

Duration of Convention.

The present Convention shall come into operation on the 16th May, 1882, and remain in force until the 1st February, 1892. In case neither of the two High Contracting Parties should have notified twelve months before the said date the intention of putting an end to it, it shall remain binding until the expiration of one year from the day on which either of the two High Contracting Parties shall have denounced it.

ARTICLE XIII.

Ratifications.

The ratifications of the present Convention shall be exchanged at Paris at latest on the 12th May, 1882.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have thereto affixed their seals.

Done in duplicate at Paris, the 28th day of February, in the year 1882.

(L.S.)	LYONS.
(L.S.)	C. DE FREYCINET.
(L.S.)	P. TIRARD.
(L.S.)	M. ROUVIER.

No. 62.

DECLARATION BETWEEN GREAT BRITAIN AND FRANCE, WITH
REFERENCE TO THE DISPOSAL OF THE PROCEEDS OF WRECKS
ON THEIR RESPECTIVE COASTS.

*Signed at Paris, October 23, 1889.**

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and the Government of the French Republic, desiring to regulate by a new Agreement questions relative to the disposal of the proceeds of wrecks on the coasts of the two States, have agreed to replace the Declaration signed at London on the 16th June, 1879, by the following arrangements:—

ARTICLE I.

Wrecks to be notified to nearest Consular Officer.

When any ship belonging to the subjects of one of the two Contracting States is wrecked or stranded on the coast of the other, the competent local authorities shall, with as little delay as possible, bring the fact to the knowledge of the Consul-General, Consul, Vice-Consul, or Consular Agent nearest to the spot where the wreck or standing has taken place.

ARTICLE II.

Salvage Operations to be directed by Consular Officers.

All operations relative to the salvage of British ships which may be wrecked or stranded on the coasts of France shall be directed by the Consuls-General, Consuls, Vice-Consuls, or Consular Agents of Great Britain, and reciprocally, the French Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall direct all operations relative to the salvage of ships of their nation wrecked or stranded on the coasts of Great Britain.

ARTICLE III.

Consular Officers to hand over Salvage Operations to Owners if so requested.

If the owners of the ship and cargo, or their duly authorized representatives, shall be present and shall claim it, the Consuls-

* Signed also in French.

General, Consuls, Vice-Consuls, and Consular Agents shall hand over to them the conduct of the salvage operations after requiring the deposit of the ship's papers, as well as the reimbursement of the expenses already defrayed, and a sufficient guarantee for those incurred before the operations were handed over, and which may not have been already settled.

ARTICLE IV.

Intervention of Local Authorities.

The intervention of the local authorities shall only take place in the two countries for the purpose of assisting the Consular authority, of maintaining order, of securing the interests of the salvors if they are strangers to the shipwrecked crews, and of assuring the due execution of the arrangements to be carried out for the entry and departure of the merchandize saved.

In the absence, and until the arrival of the Consuls-General, Consuls, Vice-Consuls, or Consular Agents, the local authorities shall, moreover, take all necessary measures for the protection of the persons, and for the preservation of the articles which shall have been saved from the wreck.

This intervention shall not give rise to any charges, with the exception of those which the salvage operations and the protection of the articles saved shall have rendered necessary, and those to which national ships would, under similar circumstances, be liable. These charges shall be paid according to the circumstances of the case, either by the Agents of the Consular Service, or by their owners or their proxies.

In case absence, sickness, or any other cause should prevent the Agents of the Consular Service from seeing to the operations and the management of the salvage, the local authorities who may be charged with the operations and management in question shall be bound to remit to the aforesaid Agents the ship's papers and the net proceeds of the ship and the cargo.

ARTICLE V.

Exemption of Salvage from Customs Duties.

The merchandize and articles saved shall not be liable to any customs duties, unless they are intended for home consumption, in which case they shall pay the same duties as they would have had to pay if they had been imported in national vessels.

ARTICLE VI.

Application of Declaration to Colonies.

The stipulations of the present Declaration shall be applicable to all the Colonies and foreign possessions of Her Britannic

Majesty, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always that the stipulations of the present Declaration shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative to the French Republic within one year from the date of the signature of the present Declaration.

The stipulations of the present Declaration shall be applicable to all the Colonies and foreign possessions of France.

ARTICLE VII.

Duration of Convention.

The present Declaration shall come into operation three months after the date of its signature, and shall remain in force until the expiration of one year from the day on which either Party may give notice of its intention to terminate it.

In witness whereof the Undersigned Plenipotentiaries, his Excellency the Earl of Lytton, Ambassador of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and his Excellency M. Eugène Spuller, Minister for Foreign Affairs, have signed the present Declaration, and have affixed thereto their seals.

Done at Paris, this twenty-third day of October, 1889.

(L.S.) LYTTON.
(L.S.) E. SPULLER.

No. 63.

AGREEMENT BETWEEN GREAT BRITAIN AND FRANCE REGULATING
THE COMMERCIAL RELATIONS BETWEEN CANADA AND FRANCE
IN RESPECT OF CUSTOMS TARIFFS.

*Signed at Paris, February 6, 1893.**

[Ratifications exchanged at Paris, October 4, 1895.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the President of the French Republic, being alike desirous of facilitating and extending commercial relations between Canada and France, have resolved to conclude an Agreement to this end, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, his Excellency the Marquess of Dufferin and Ava, a Peer of the United Kingdom, a member of the Most Honourable Privy Council, Vice-Admiral of Ulster, Warden and Keeper of the Cinque Ports, Constable of the Castle of Dover, &c., &c., Her Ambassador Extraordinary and Plenipotentiary to the Government of the French Republic; and Sir Charles Tupper, Baronet, High Commissioner for Canada in London;

The President of the French Republic, his Excellency M. Jules Develle, Deputy and Minister for Foreign Affairs, and his Excellency M. Siegfried, Deputy, Minister for the Department of Commerce, Industry, and of the Colonies;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Duties on French Wines, &c., entering Canada.

Wines, sparkling and non-sparkling, common soaps, “savons de Marseille” (Castile soaps), and nuts, almonds, prunes, and plums of French origin entering Canada shall enjoy the following advantages:

1. Non-sparkling wines gauging 15 degrees by the centesimal alcoholmeter, or less, or according to the Canadian system of testing, containing 26 per cent., or less, of alcohol,

* Signed also in French.

and all sparkling wines, shall be exempted from the surtax or *ad valorem* duty of 30 per cent.;

2. The present duty charged on common soaps, "savons de Marseille" (Castile soaps), shall be reduced by one-half;

3. The present duty charged on nuts, almonds, prunes, and plums, shall be reduced by one-third.

ARTICLE II.

Commercial Privileges in Canada.—Most-favoured-nation Treatment.

Any commercial advantage granted by Canada to any third Power, especially in Tariff matters, shall be enjoyed fully by France, Algeria, and the French Colonies.

ARTICLE III.

Certain Canadian Articles to enjoy French Minimum Tariff.

The following articles of Canadian origin imported direct from that country accompanied by certificates of origin shall receive the advantage of the Minimum Tariff on entering France, Algeria, or the French Colonies ;

- Canned meats ;
- Condensed milk, pure ;
- Fresh-water fish, eels ;
- Fish preserved in their natural form ;
- Lobsters and crayfish preserved in their natural form ;
- Apples and pears, fresh, dried, or pressed ;
- Fruits preserved, others ;
- Building timber, in the rough or sawn ;
- Wood pavement ;
- Staves ;
- Wood pulp (cellulose) ;
- Extract of chesnut, and other tanning extracts ;
- Common paper, machine made ;
- Prepared skins, others, whole ;
- Boots and shoes ;
- Furniture of common wood ;
- Furniture other than chairs, of solid wood, common ;
- Flooring, in pine or soft wood ;
- Wooden sea-going ships.

Reduction of French Duty.—Most-favoured-nation Treatment.

It is understood that the advantage of any reduction of duty granted to any other Power on any of the articles enumerated above shall be extended fully to Canada.

ARTICLE IV.

Ratifications.

The present Agreement having received the sanction of the Parliament of Canada and of the French Chambers, shall be ratified, and the ratifications shall be exchanged at Paris as soon as possible.

Duration of Convention.

It shall come into operation immediately after this formality has been accomplished, and shall continue in force until the expiration of twelve months after either of the Contracting Parties shall have given notice of their intention of terminating the same.

France may terminate Treaty if Canadian Duty on Sparkling Wine is increased.

It is agreed likewise that if non-sparkling wines gauging 15 degrees at the most, or sparkling wines become subject later on to an increase of duty in Canada, the French Government by denouncing the present Agreement could terminate its operation immediately without waiting until the expiration of the twelve months' delay provided for above.

In witness whereof the respective Plenipotentiaries have signed the present Agreement, and affixed thereto the seals of their arms.

Done in duplicate at Paris, this 6th day of February, 1893.

(L.S.)	DUFFERIN AND AVA.
(L.S.)	CHARLES TUPPER.
(L.S.)	JULES DEVELLE.
(L.S.)	JULES SIEGFRIED.

No. 64.

CONVENTION BETWEEN GREAT BRITAIN AND FRANCE RELATIVE
TO TUNIS.

*Signed at Paris, September 18, 1897.**

[*Ratifications exchanged at Paris, October 15, 1897.*]

WITH a view to determine the relations of the United Kingdom of Great Britain and Ireland and France, in the

* Signed also in French.

Regency of Tunis, and to clearly define the position as established by Convention of the aforesaid United Kingdom in the Regency, the Undersigned, duly authorized by their respective Governments, have agreed as follows:—

ARTICLE I.

Treaties between the United Kingdom and France extended to Tunis.

The Treaties and Conventions of every kind in force between the United Kingdom of Great Britain and Ireland and France are extended to the Regency of Tunis.

Privileges of British Consuls in Tunis.

The Government of Her Britannic Majesty will abstain from claiming for its Consuls, its subjects, and its establishments in the Regency of Tunis other rights and privileges than those secured for it in France.

Most-favoured-nation Treatment in Tunis.—France excepted.

Moreover the treatment of the most favoured nation, which is secured on either side by the aforementioned Treaties and Conventions, and the reciprocal enjoyment of the lowest Customs Tariff are guaranteed to the United Kingdom of Great Britain and Ireland in the Regency of Tunis and to the Regency of Tunis in the United Kingdom for a period of forty years from the date of the exchange of ratifications of the present Agreement.

All merchandize and all manufactured goods, the produce of the United Kingdom, imported into the Regency of Tunis, either directly, or after transshipment at Malta, shall enjoy the advantages conceded by the present Article.

It is further understood that the treatment of the most favoured nation in the Regency of Tunis does not comprise the treatment enjoyed by France.

ARTICLE II.

Import Duties in Tunis on British Cotton Goods.

Cotton goods, the produce of the United Kingdom and of British Colonies and possessions, shall not be subject in the Regency of Tunis to import duties higher than 5 per cent. *ad valorem* at the port of discharge. They shall not be charged with any other tax or impost whatsoever.

This provision shall remain in force until the 31st December, 1912, and, after that date, until the expiration of six months from

the day on which one of the Contracting Parties shall have notified to the other its intention of terminating its operation.

ARTICLE III.

Ratifications.

The present Agreement shall be ratified, and the ratifications thereof shall be exchanged at Paris as soon as possible.

It shall come into force immediately after the exchange of ratifications.

The existing Customs Tariff on imports into the Regency of Tunis shall, however, continue to be applied until the 31st December, 1897.

Done at Paris, in duplicate, the 18th September, 1897.

(L.S.) EDMUND MONSON.
(L.S.) G. HANOTAUX.

No. 65.

EXCHANGE OF NOTES BETWEEN GREAT BRITAIN AND FRANCE AS TO THE RECIPROCAL PROTECTION OF TRADE-MARKS IN CHINA.

April 20
August 20, 1898.

(No. 1.)

M. Geoffray to the Marquess of Salisbury.

M. le Marquis,

Londres, le 20 Avril, 1898.

VOTRE Seigneurie n'est pas sans savoir que l'Arrangement intervenu en 1895 entre les Gouvernements Français et Anglais, en vue d'assurer la protection réciproque au Maroc des marques de fabrique Françaises régulièrement enregistrées en Angleterre, et des marques Anglaises régulièrement enregistrées en France, a produit les résultats les plus satisfaisants au point de vue de la répression de la contrefaçon dans les États de Sa Majesté Chérifiennne.

En présence de cet heureux résultat, mon Gouvernement estimant qu'il y aurait utilité à faire une application nouvelle du principe d'assurance mutuelle ainsi consacré dans les notes échangées en 1894 entre la France et l'Angleterre à Tanger, m'a chargé de demander à votre Seigneurie si le Gouvernement de Sa Majesté Britannique ne serait pas disposé à conclure un nouvel Arrangement qui aurait cette fois pour objet d'assurer la protection réciproque en Chine des marques Françaises et

Anglaises dans les conditions dans lesquelles est intervenu l'accord concernant le Maroc. M. Hanotaux estime que, le cas échéant, l'Arrangement à intervenir pourrait revêtir la forme d'un échange de notes entre le Cabinet Britannique et l'Ambassadeur de la République à Londres; il se plaît à penser que votre Seigneurie se montrera sensible à l'utilité que présenterait un semblable accord au moment où la Chine, dont la législation n'assure aucune protection sérieuse aux marques de fabrique, ouvre plus largement ses marchés aux produits de l'industrie Européenne.

Je serais très obligé à votre Seigneurie de vouloir bien me faire connaître la suite dont la présente communication lui aura paru susceptible,

Je me permets de saisir cette occasion pour rappeler à votre Seigneurie les ouvertures que l'Ambassadeur de France a faites au Cabinet Britannique à la date du 14 Mai, 1896, à l'effet d'arriver à un Arrangement de même nature en ce qui concerne l'Empire Ottoman,

Veuillez, &c.

(Signé) GEOFFRAY.

(No. 2.)

Mr. Balfour to M. Geoffray.

Sir,

Foreign Office, August 29, 1898.

IN your note of the 20th of April last you conveyed to the Marquess of Salisbury the wish of the French Government to enter into an arrangement with this country for the mutual protection of trade-marks in China similar to that concluded in Morocco between Great Britain and France in the year 1895.

I have the honour to inform you that it has been necessary, before a definite answer could be sent to you, to consult the Board of Trade, and the Law Officers of the Crown, which has led to some delay.

I have now, however, the pleasure of stating that Her Majesty's Government are prepared to enter into an arrangement such as you propose for the protection of the trade-marks of the two countries in China, which will enable French nationals to obtain protection in the British Consular Courts by registering their marks in this country in cases in which they can be properly registered under English law, and at the same time obtain for British nationals who register their marks in France the protection of the French Consular Courts.

The necessary steps are being taken for the issue of an Order in Council to give effect to such an arrangement.

I have, &c.,

(Signed) A. J. BALFOUR.

No. 66.

EXCHANGE OF NOTES BETWEEN GREAT BRITAIN AND FRANCE
RESPECTING THE WAIVER OF CONSULAR FEES ON THE ISSUE
OF CERTIFICATES OF ORIGIN.

October–November 1899.

(No. 1.)

Sir E. Monson to M. Delcassé.

M. le Ministre,

Paris, October 2, 1899.

I HAVE the honour to inform your Excellency that I communicated to Her Majesty's Government a copy of M. Waldeck-Rousseau's note of the 2nd August last, stating the bases on which the Government of the French Republic are ready to come to an Agreement with Her Majesty's Government with regard to reciprocity for the waiver of certain Consular fees charged for attesting certificates of origin.

I have now received instructions from the Marquess of Salisbury to inform your Excellency that Her Majesty's Government agree to the proposed arrangement, and having been authorized to proceed to an exchange of notes with your Excellency, I beg that you will be so good as to communicate to me the draft of a note embodying the terms suggested in M. Waldeck-Rousseau's note above referred to.

I have, &c.

(Signed) EDMUND MONSON.

(No. 2.)

M. Delcassé to Sir E. Monson.

M. l'Ambassadeur,

Paris, le 13 Octobre, 1899.

VOTRE Excellence a bien voulu me faire connaître, par une lettre du 2 de ce mois, que le Gouvernement Britannique était disposé à conclure avec le Gouvernement de la République un arrangement concernant la gratuité de la délivrance ou du visa des certificats d'origine par les autorités Consulaires des deux pays, sur les bases indiquées dans la dépêche de mon Département du 2 Août dernier.

En réponse à cette communication et pour donner suite à ce projet d'entente, j'ai l'honneur de porter à la connaissance de votre Excellence que le Gouvernement de la République a décidé qu'à l'avenir—

1. Les Consuls Français dans le Royaume-Uni délivreront gratuitement les certificats d'origine qui lui seront demandés.

2. Les certificats d'origine délivrés par les autorités locales autres que les Douanes, à savoir, par les Maires, les Magistrats, les Chambres de Commerce, &c., seront soumis, comme par le passé, à l'obligation du visa Consulaire, mais ce visa ne donnera lieu dorénavant à la perception d'aucune taxe.

3. Les certificats d'origine émanant des Douanes Anglaises lorsqu'ils seront munis du cachet de ces Douanes et qu'aucun doute ne s'élèvera sur leur authenticité, continueront à être admis par les Douanes Françaises sans visa ou légalisation Consulaire.

Je serais reconnaissant à votre Excellence de vouloir bien, de son côté, me donner, au nom de son Gouvernement, l'assurance que par réciprocité—

1. Les autorités Consulaires Britanniques en France délivreront gratuitement les certificats d'origine qui leur seront demandés.

2. Les certificats d'origine dressés par les autorités locales Françaises seront visés sans frais par les Agents Consulaires Britanniques en France.

3. Les certificats d'origine émanant des Douanes Françaises et munis de leurs cachets seront admis par les Douanes Anglaises sans visa Consulaire.

Les deux Gouvernements seront d'ailleurs libres de mettre fin à toute époque à l'accord ainsi intervenu entre eux.

Dès que votre Excellence aura bien voulu me faire connaître que son Gouvernement est entièrement d'accord sur ces différents points avec le Gouvernement de la République, je m'empresserais de donner les instructions nécessaires pour la mise en application des dispositions ainsi arrêtées en principe.

Agreez, &c.
(Signé) DELCASSÉ.

(No. 3.)

Sir E. Monson to M. Delcassé.

M. le Ministre, *Paris, November 15, 1899.*

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 13th ultimo, informing me of the Regulations which the Government of the Republic have laid down with regard to the gratuitous issue in future of certificates of origin by French Consuls resident in the United Kingdom.

While thanking your Excellency for this communication, I am authorized to inform you that Her Majesty's Government

will, in return, issue forthwith the reciprocal directions to British Consuls resident in France, who will be instructed—

1. To deliver gratuitously upon application certificates of origin.

2. To legalize ("viser") without charge a certificate of origin drawn up by the local French authorities.

The British Customs authorities also will be instructed to recognize certificates of origin issued by the French Customs and bearing their seal.

It is understood that the two Governments are at liberty to terminate at any moment the agreement now come to between them.

I would suggest that the new Regulations should come into force in both countries on the 1st January, 1900.

I have, &c.

(Signed) EDMUND MONSON.

No. 67.

AGREEMENT BETWEEN GREAT BRITAIN AND FRANCE RESPECTING COMMERCIAL RELATIONS BETWEEN FRANCE AND ZANZIBAR.

*Signed at London, June 27, 1901.**

[Ratifications exchanged at London, February 22, 1902.]

His Britannic Majesty's Government, acting in the name of His Highness the Sultan of Zanzibar, on the one part, and the Government of the French Republic, on the other, being desirous of regulating certain points of the commercial relations between France and that part of the Sultanate of Zanzibar which is placed under the Protectorate of His Britannic Majesty, have come to the following Agreement:—

ARTICLE I.

Duties on French Brandy in Zanzibar.

The valuation of 25 shillings fixed as the minimum by the Regulation of the 8th of May, 1898, per case of 12 bottles of

* Signed also in French.

brandy or liqueur imported into the possessions of His Highness the Sultan of Zanzibar, under British protection, shall henceforward be reduced to 20 shillings on brandy or liqueur originating in France, Algeria, the French Colonies and possessions, or in the Protectorates of Indo-China and Tunis.

ARTICLE II.

Zanzibar Produce.—Most-favoured-nation Treatment.

In return, therefore, colonial produce ("denrées coloniales de consommation") originating in the possessions of His Highness the Sultan of Zanzibar under British protection shall enjoy, on their importation into France, into Algeria, into the French Colonies and possessions, and into the Protectorates of Indo-China and Tunis, the lowest customs duties applicable to similar produce of any other foreign country.

In faith of which the respective Plenipotentiaries have signed the present Agreement, and have sealed it with their arms.

Done in duplicate, at London, the 27th June, 1901.

(L.S.)	LANSDOWNE.
(L.S.)	PAUL CAMBON.

No. 68.

CONVENTION BETWEEN GREAT BRITAIN AND FRANCE RESPECTING
COMMERCIAL RELATIONS BETWEEN FRANCE AND THE
SEYCHELLES ISLANDS.

*Signed at London, April 16, 1902.**

[Ratifications exchanged at London, March 27, 1905.]

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the French

* Signed also in French.

Republic, desiring to facilitate the commercial relations between France and the Seychelles Islands, have resolved to conclude a Convention to that effect, and have named as their respective Plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Most Honourable Henry Charles Keith Petty-Fitzmaurice, Marquess of Lansdowne, Principal Secretary of State for Foreign Affairs; and

The President of the French Republic, M. Paul Cambon, Ambassador of the French Republic at London;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows:—

ARTICLE I.

Seychelles Products.—Most-favoured-nation Treatment.

The following colonial products: coffee, cocoa, pepper, pimento, amomums and cardamoms, cinnamon, cassia lignea, nutmegs, mace, cloves, vanilla, and tea, produce of the Seychelles Islands, shall enjoy, on importation into France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, the lowest customs duties applicable to similar products of any other foreign origin.

ARTICLE II.

French Products.—Most-favoured-nation Treatment.

Reciprocally, the natural and manufactured products of France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, shall enjoy, without restriction or reserve on importation into the Seychelles Islands, the lowest customs duties applicable to similar products of other foreign origin.

Duties on French Wine, Haberdashery, &c.

Further, the duties on wine produced in France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis shall be reduced as follows: From 10 to 9 rupees for wine in casks; from 4 to 2 rupees per dozen bottles for wine in bottles. The *ad valorem* duties on articles of clothing and haberdashery produced in France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China

and Tunis shall, on importation into the Seychelles Islands, be reduced from 15 to 12½ per cent.

ARTICLE III.

Certificates of Origin.

The certificates of origin which may be required for the admission of goods to the preferential conditions stipulated in the present Treaty, shall be *visé* by French Consuls and by British Consuls without levying Consular fees.

ARTICLE IV.

Ratifications.—Duration of Convention.

The present Convention shall be ratified by the two Governments as soon as possible, and the ratifications shall be exchanged at London. It shall come into effect immediately after the exchange of ratifications, and shall remain in force until the expiration of a year from the day on which one of the High Contracting Parties shall have announced the intention of terminating it.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done in London, in duplicate, the 16th day of April, 1902.

(L.S.)	LANSDOWNE.
(L.S.)	PAUL CAMBON.

No. 69.

CONVENTION BETWEEN GREAT BRITAIN AND FRANCE RESPECTING
COMMERCIAL RELATIONS BETWEEN FRANCE AND JAMAICA.

*Signed at London, August 8, 1902.**

[*Ratifications exchanged at London, August 12, 1903.*]

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the

* Signed also in French.

Seas, Emperor of India, and the President of the French Republic, desiring to facilitate the commercial relations between France and Jamaica, have resolved to conclude a Convention to that effect, and have named as their respective Plenipotentiaries :

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Most Honourable Henry Charles Keith Petty-Fitzmaurice, Marquess of Lansdowne, His Majesty's Principal Secretary of State for Foreign Affairs; and

The President of the French Republic, M. Paul Cambon, Ambassador of the French Republic at London;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows:—

ARTICLE I.

Jamaica Produce.—Most-favoured-nation Treatment.

The following colonial products: coffee, cocoa, pepper, pimento, amomums and cardamoms, cinnamon, cassia lignea, nutmegs, mace, cloves, vanilla, and tea, produce of Jamaica, shall enjoy on importation into France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, the lowest customs duties applicable to similar products of any other foreign origin.

ARTICLE II.

French Produce.—Most-favoured-nation Treatment.

Reciprocally, the natural and manufactured products of France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, shall enjoy without restriction or reserve, on importation into Jamaica, the lowest customs duties applicable to similar products of other foreign origin.

ARTICLE III.

Certificates of Origin.

The certificates of origin which may be required for the admission of goods to the preferential conditions stipulated in the present Treaty shall be *visés* by French Consuls and by British Consuls without levying Consular fees.

ARTICLE IV.

Ratifications.—Duration of Convention.

The present Convention shall be ratified as soon as possible, and the ratifications shall be exchanged at London. It shall come into effect immediately after the exchange of ratifications, and shall remain in force until the expiration of one year from the day on which one of the High Contracting Parties shall have announced its intention of terminating it.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done at London, in duplicate, the 8th day of August, 1902.

(L.S.) LANSDOWNE.
(L.S.) PAUL CAMBON.

No. 70.

CONVENTION BETWEEN GREAT BRITAIN AND FRANCE RESPECTING
COMMERCIAL RELATIONS BETWEEN FRANCE AND INDIA.

*Signed at London, February 19, 1903.**

[*Ratifications exchanged at London, March 27, 1903.*]

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the French Republic, desiring to facilitate the commercial relations between France and India, have resolved to conclude a Convention to that effect, and have named as their respective Plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Most Honourable Henry Charles Keith Petty-Fitzmaurice, Marquess of Lansdowne, Principal Secretary of State for Foreign Affairs; and

The President of the French Republic, M. Paul Cambon, Ambassador of the French Republic at London;

* Signed also in French.

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows:—

ARTICLE I.

Indian Produce.—Most-favoured-nation Treatment.

The following colonial products: coffee, cocoa, pepper, pimento, amomums and cardamoms, cinnamon, cassia lignea, nutmegs, mace, cloves, vanilla, and tea, produce of India, shall enjoy, on importation into France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, the lowest customs duties applicable to similar products of any other foreign origin.

ARTICLE II.

French Produce.—Most-favoured-nation Treatment.

Reciprocally, the natural and manufactured products of France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, shall enjoy, without restriction or reserve, on importation into India, the lowest customs duties applicable to similar products of other foreign origin.

Duties on French Vinegar and Copperas.

Further, the duties on vinegar in casks and copperas produced in France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, and imported into India, shall not exceed $2\frac{1}{2}$ per cent. *ad valorem*.

ARTICLE III.

Certificates of Origin.

The certificates of origin which may be required for the admission of goods to the preferential conditions stipulated in the present Treaty shall be *visé* by French Consuls and by British Consuls without levying Consular fees.

ARTICLE IV.

Native States of India.

The privileges and engagements comprised in this Convention shall extend to native States of India which, by Treaty

with His Britannic Majesty or otherwise, may be entitled to be placed with regard to the stipulations of the Convention on the same footing as British India.

His Majesty's Government will communicate from time to time to the Government of the Republic a list of these States.

ARTICLE V.

Ratifications.—Duration of Convention.

The present Convention shall be ratified by the two Governments as soon as possible, and the ratifications shall be exchanged at London. It shall come into effect immediately after the exchange of ratifications, and shall remain in force until the expiration of a year from the day on which one of the High Contracting Parties shall have announced the intention of terminating it.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done in London, in duplicate, the 19th day of February, 1903.

(L.S.) LANSDOWNE.
(L.S.) PAUL CAMBON.

No. 71.

CONVENTION BETWEEN GREAT BRITAIN AND FRANCE RESPECTING COMMERCIAL RELATIONS BETWEEN FRANCE AND CEYLON.

*Signed at London, February 19, 1903.**

[*Ratifications exchanged at London, March 27, 1905.*]

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the French Republic, desiring to facilitate the commercial relations between France and the Island of Ceylon, have resolved to

* Signed also in French.

conclude a Convention to that effect, and have named as their respective Plenipotentiaries :

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Most Honourable Henry Charles Keith Petty-Fitzmaurice, Marquess of Lansdowne, Principal Secretary of State for Foreign Affairs, and the President of the French Republic, M. Paul Cambon, Ambassador of the French Republic at London :

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows :—

ARTICLE I.

Ceylon Products.—Most-favoured-nation Treatment.

The following colonial products: coffee, cocoa, pepper, pimento, amomums and cardamoms, cinnamon, cassia lignea, nutmegs, mace, cloves, vanilla, and tea, produce of the Island of Ceylon, shall enjoy, on importation into France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, the lowest customs duties applicable to similar products of any other foreign origin.

ARTICLE II.

French Products.—Most-favoured-nation Treatment.

Reciprocally, the natural and manufactured products of France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, shall enjoy, without restriction or reserve on importation into the Island of Ceylon, the lowest customs duties applicable to similar products of other foreign origin.

Duties on French Vinegar and Copperas.

Further, the duties on vinegar in casks and copperas produced in France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, and imported into Ceylon, shall be reduced by 50 per cent.

ARTICLE III.

Certificates of Origin.

The certificates of origin which may be required for the admission of goods to the preferential conditions stipulated

in the present Treaty shall be *visé* by French Consuls and by British Consuls without levying Consular fees.

ARTICLE IV.

Ratifications.—Duration of Convention.

The present Convention shall be ratified by the two Governments as soon as possible, and the ratifications shall be exchanged at London. It shall come into effect immediately after the exchange of ratifications, and shall remain in force until the expiration of a year from the day on which one of the High Contracting Parties shall have announced the intention of terminating it.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done in London, in duplicate, the 19th day of February, 1903.

(L.S.) LANSDOWNE.
(L.S.) PAUL CAMBON.

No. 72.

CONVENTION BETWEEN GREAT BRITAIN AND FRANCE RESPECTING
COMMERCIAL RELATIONS BETWEEN FRANCE AND THE BRITISH
PROTECTORATES OF EAST AFRICA, CENTRAL AFRICA, AND
UGANDA.

*Signed at London, February 23, 1903.**

[*Ratifications exchanged at London, March 27, 1905.*]

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the French Republic, desiring to facilitate the commercial relations between France and the British Protectorates of East Africa, Central Africa, and Uganda, have resolved to conclude a Convention to that effect, and have named as their respective Plenipotentiaries:

* Signed also in French.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Most Honourable Henry Charles Keith Petty-Fitzmaurice, Marquess of Lansdowne, Principal Secretary of State for Foreign Affairs;

And the President of the French Republic, M. Paul Cambon, Ambassador of the French Republic at London;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows:—

ARTICLE I.

Produce of British Protectorates.—Most-favoured-nation Treatment.

The following colonial products: coffee, cocoa, pepper, pimento, amomums and cardamoms, cinnamon, cassia lignea, nutmegs, mace, cloves, vanilla, and tea, produce of the said British Protectorates, shall enjoy, on importation into France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, the lowest customs duties applicable to similar products of any other foreign origin.

ARTICLE II.

French Products.—Most-favoured-nation Treatment.

Reciprocally, the natural and manufactured products of France, Algeria, French Colonies and possessions, and the Protectorates of Indo-China and Tunis, shall enjoy, without restriction or reserve, on importation into the said British Protectorates, the lowest customs duties applicable to similar products of other foreign origin.

ARTICLE III.

Certificates of Origin.

The certificates of origin which may be required for the admission of goods to the preferential conditions stipulated in the present Convention shall be *visé* by French Consuls and by British Consuls without levying Consular fees.

ARTICLE IV.

Ratifications.—Duration of Convention.

The present Convention shall be ratified by the two Governments as soon as possible, and the ratifications shall be

exchanged at London. It shall come into effect immediately after the exchange of ratifications, and shall remain in force until the expiration of a year from the day on which one of the High Contracting Parties shall have announced the intention of terminating it.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done at London, in duplicate, the 23rd day of February, 1903.

(L.S.) LANSDOWNE.

(L.S.) PAUL CAMBON.

No. 73.

DECLARATION BETWEEN GREAT BRITAIN AND FRANCE
RESPECTING EGYPT AND MOROCCO.

*Signed at London, April 8, 1904.**

ARTICLE I.

Political Status of Egypt.

HIS Britannic Majesty's Government declare that they have no intention of altering the political status of Egypt.

The Government of the French Republic, for their part, declare that they will not obstruct the action of Great Britain in that country by asking that a limit of time be fixed for the British occupation or in any other manner, and that they give their assent to the draft Khedivial Decree annexed to the present Arrangement, containing the guarantees considered necessary for the protection of the interests of the Egyptian bondholders, on the condition that, after its promulgation, it cannot be modified in any way without the consent of the Powers signatory of the Convention of London of 1885.

It is agreed that the post of Director-General of Antiquities in Egypt shall continue, as in the past, to be intrusted to a French *savant*.

The French schools in Egypt shall continue to enjoy the same liberty as in the past.

* Signed also in French,

ARTICLE II.

Political Status of Morocco.—Coasting Trade.

The Government of the French Republic declare that they have no intention of altering the political status of Morocco.

His Britannic Majesty's Government, for their part, recognize that it appertains to France, more particularly as a Power whose dominions are conterminous for a great distance with those of Morocco, to preserve order in that country, and to provide assistance for the purpose of all administrative, economic, financial, and military reforms which it may require.

They declare that they will not obstruct the action taken by France for this purpose, provided that such action shall leave intact the rights which Great Britain, in virtue of Treaties, Conventions, and usage, enjoys in Morocco, including the right of coasting trade between the ports of Morocco, enjoyed by British vessels since 1901.

ARTICLE III.

French Treaty Rights in Egypt including Coasting Trade.

His Britannic Majesty's Government, for their part, will respect the rights which France, in virtue of Treaties, Conventions, and usage, enjoys in Egypt, including the right of coasting trade between Egyptian ports accorded to French vessels.

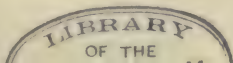
ARTICLE IV.

Reciprocal Commercial Liberty in Egypt and Morocco.

The two Governments, being equally attached to the principle of commercial liberty both in Egypt and Morocco, declare that they will not, in those countries, countenance any inequality either in the imposition of customs duties or other taxes, or of railway transport charges.

Transit to Morocco and Egypt through French and British African Possessions.

The trade of both nations with Morocco and with Egypt shall enjoy the same treatment in transit through the French and British possessions in Africa. An Agreement between the two Governments shall settle the conditions of such transit, and shall determine the points of entry.



Duration of Declaration.

This mutual engagement shall be binding for a period of thirty years. Unless this stipulation is expressly denounced at least one year in advance, the period shall be extended for five years at a time.

Concessions for Roads and Railways in Egypt and Morocco.

Nevertheless, the Government of the French Republic reserve to themselves in Morocco, and His Britannic Majesty's Government reserve to themselves in Egypt, the right to see that the concessions for roads, railways, ports, &c., are only granted on such conditions as will maintain intact the authority of the State over these great undertakings of public interest.

ARTICLE V.

French Officials in Egypt.

His Britannic Majesty's Government declare that they will use their influence in order that the French officials now in the Egyptian service may not be placed under conditions less advantageous than those applying to the British officials in the same service.

British Officials in Morocco.

The Government of the French Republic, for their part, would make no objection to the application of analogous conditions to British officials now in the Moorish service.

ARTICLE VI.

Free Passage of Suez Canal.

In order to insure the free passage of the Suez Canal, His Britannic Majesty's Government declare that they adhere to the stipulations of the Treaty of the 29th October, 1888, and that they agree to their being put in force. The free passage of the Canal being thus guaranteed, the execution of the last sentence of paragraph 1 as well as of paragraph 2 of Article VIII of that Treaty will remain in abeyance.

ARTICLE VII.

Free Passage of Straits of Gibraltar.

In order to secure the free passage of the Straits of Gibraltar, the two Governments agree not to permit the erection of any fortifications or strategic works on that portion of the coast of Morocco comprised between, but not including, Melilla and the heights which command the right bank of the River Sebou.

This condition does not, however, apply to the places at present in the occupation of Spain on the Moorish coast of the Mediterranean.

ARTICLE VIII.

Spanish Interests in Morocco.

The two Governments, inspired by their feeling of sincere friendship for Spain, take into special consideration the interests which that country derives from her geographical position and from her territorial possessions on the Moorish coast of the Mediterranean. In regard to these interests the French Government will come to an understanding with the Spanish Government.

The agreement which may be come to on the subject between France and Spain shall be communicated to His Britannic Majesty's Government.

ARTICLE IX.

Reciprocal Diplomatic Support in Egypt and Morocco.

The two Governments agree to afford to one another their diplomatic support, in order to obtain the execution of the clauses of the present Declaration regarding Egypt and Morocco.

In witness whereof his Excellency the Ambassador of the French Republic at the Court of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty's Principal Secretary of State for Foreign Affairs, duly authorized for that purpose, have signed the present Declaration, and have affixed thereto their seals.

Done at London, in duplicate, the 8th day of April, 1904.

(L.S.) LANSDOWNE.
(L.S.) PAUL CAMBON.

PROJET DE DÉCRET.

NOUS, Khédive d'Égypte,

Vu les Décrets mentionnés aux Annexes à la présente Loi :

Avec l'assentiment des Puissances signataires de la Convention de Londres ;

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres,

Décrétons :

TITRE I.—*De la Dette Publique.*

1. Sont comprises dans la Dette Publique :—

La Dette Garantie ;

La Dette Privilégiée ;

La Dette Unifiée ;

La Dette Domaniale ;

La Dette Générale de la Daïra Sanieh.

2. Toutes ces dettes sont représentées par des titres au porteur, munis de coupons semestriels.

3. Les coupons sont payables et les titres sont remboursables en or, sans aucune déduction.

4. Les paiements et remboursements ci-dessus sont effectués, pour ce qui concerne les Dettes Garantie, Privilégiée, et Unifiée, au Caire, à Londres, à Paris, et à Berlin.

Le change des paiements à Paris et à Berlin est fixé, en monnaie Française et en monnaie Allemande, par la Commission de la Dette Publique, de concert avec le Ministre des Finances, sans que ce change puisse jamais dépasser la parité de la livre sterling, ni être inférieur à 25 fr., ou 20 marks 25 pfennigs.

5. Pour ce qui concerne les Dettes Domaniale et Daïra Sanieh, les paiements et remboursements continueront à être effectués dans les mêmes villes et aux mêmes taux d'échange que jusqu'ici.

6. Il n'est pas admis d'opposition au paiement des coupons ou au remboursement des titres.

Toutefois, au cas où la déclaration de la perte ou du vol de titres ou de coupons leur paraîtrait suffisamment établie, les Administrations et banques chargées du service des emprunts auront la faculté de surseoir provisoirement au paiement des dits titres ou coupons.

7. L'intérêt annuel des obligations de la Dette Garantie est de 3 pour cent ; il est payable semestriellement aux échéances du 1^{er} Mars et du 1^{er} Septembre.

Celui des obligations de la Dette Privilégiée est de 3½ pour cent, payable le 15 Avril et le 15 Octobre.

Celui des obligations de la Dette Unifiée est de 4 pour cent, payable le 1^{er} Mai et le 1^{er} Novembre.

Celui des obligations de la Dette Domaniale est de 4½ pour cent, payable le 1^{er} Juin et le 1^{er} Décembre.

Celui des obligations de la Dette Daïra Sanieh est de 4 pour cent, payable le 15 Avril et le 15 Octobre.

8. Les obligations des dettes ci-dessus ne pourront être frappées d'aucun impôt au profit du Gouvernement Égyptien.

9. Les obligations de la Dette Garantie jouissent de la garantie résultant de la Convention Internationale en date du 18 Mars, 1885.

Les dites obligations, ainsi que celles des Dettes Privilégiée et Unifiée, sont, en outre, garanties de la manière résultant des Articles 30 à 43 de la présente Loi.

10. Les Emprunts Domanial et Daïra Sanieh continueront à être réglés par les dispositions des Conventions, Lois, et Décrets antérieurs, en tant qu'elles ne sont pas expressément abrogées ou modifiées par la présente Loi. Les dispositions du Titre III de la présente Loi leur seront en outre applicables.

TITRE II.—*Des Dettes Garantie, Privilégiée, et Unifiée.*

Composition de la Commission de la Dette Publique.

11. La Commission de la Dette Publique, instituée par Décret du 2 Mai, 1876, reste chargée du service des intérêts et de l'amortissement des Dettes Garantie, Privilégiée, et Unifiée, dans les conditions édictées par la présente Loi.

12. Cette Commission est permanente jusqu'à l'entier amortissement ou remboursement de ces dettes.

13. Elle est composée de six Commissaires étrangers: un Allemand, un Anglais, un Autrichien, un Français, un Italien, et un Russe.

14. Les Commissaires sont nommés, comme fonctionnaires Égyptiens, par Décret Khédivial, après avoir été indiqués par leurs Gouvernements respectifs, sur la demande du Gouvernement Égyptien, comme aptes à remplir leurs fonctions.

15. Ils ne pourront être relevés de leurs fonctions sans le consentement de leurs Gouvernements respectifs.

16. Ils ne peuvent accepter d'autres fonctions en Égypte.

17. Ils siègent au Caire.

18. Ils pourront confier à l'un d'eux les fonctions de Président, lequel en donnera avis au Ministre des Finances.

Attributions administratives de la Commission.

19. La Caisse de la Dette reçoit les fonds destinés au service des intérêts et de l'amortissement des Dettes Garantie, Privi-

légée, et Unifiée, et fait l'emploi de ce fonds conformément aux dispositions de la présente Loi.

20. La Commission de la Dette nomme et révoque les employés de la Caisse de la Dette.

21. Elle règle les rapports entre la Caisse et ses correspondants.

22. Les dépenses de personnel et de matériel de la Caisse les commissions et allocations diverses de ces correspondants, les frais de change, assurances, transports d'espèces, et généralement toutes dépenses nécessaires pour l'exécution des services des Dettes Garantie, Privilégiée, et Unifiée seront imputées sur les revenus affectés en vertu de l'Article 30, et feront annuellement l'objet d'un budget arrêté par la Commission de la Dette, lequel devra pour toute somme dépassant £ E. 35,000 être approuvé par le Conseil des Ministres.

23. Toutes sommes se trouvant entre les mains de la Commission de la Dette en exécution de la présente Loi pourront, jusqu'au jour de leur emploi, être placées en titre de la Dette Égyptienne.

Elles pourront, en outre, être placées à l'intérêt de toute manière déterminée d'un accord commun par la Commission de la Dette et le Ministre des Finances.

24. En cas de placement en Égypte, contre dépôt de titres, les dispositions de la loi générale Égyptienne en matière de gage, tant au point de vue de la date certaine que de l'exécution, ne seront pas opposables, à la Commission de la Dette en ce qui concerne les titres déposés.

En conséquence, dans tous les cas prévus dans les contrats de gage, la Commission de la Dette pourra procéder à la vente de tout ou partie des titres engagés, sans aucune formalité, judiciaire ou extrajudiciaire et nonobstant toutes saisies, défenses ou oppositions de la part tant des propriétaires que des tiers.

25. Les bénéfices produits par les placements prévus à l'Article 23 s'ajouteront, faute de disposition contraire, aux fonds entre les mains de la Commission destinée au service des intérêts des dettes ci-dessus.

26. Sauf les dispositions des Articles précédents, la Commission de la Dette ne pourra employer aucun fonds, disponible ou non, en opérations de crédit, de commerce, d'industrie, ou autres.

27. La Caisse est dotée d'une somme de £ E. 1,800,000, pour servir comme fonds de réserve, et d'une somme de £ E. 500,000 à titre de fonds de roulement.

28. Les décisions de la Commission de la Dette sont prises à la majorité absolue des membres qui la composent.

29. Annuellement, la Commission de la Dette publiera un Rapport sur ces opérations et soumettra son compte de gestion à l'autorité qui sera chargée de juger les comptes des Administrations Publiques.

Service et Garanties des Dettes Garantie, Privilégiée, et Unifiée.

30. Le produit brut des impôts fonciers (non compris l'impôt sur les dattiers) dans toutes les provinces d'Égypte, à l'exception de Keneh, et sous réserve des dispositions de l'Article 63, est affecté au service des Dettes Garantie, Privilégiée, et Unifiée. Aussitôt que les sommes provenant de ce chef dans l'année seront suffisantes pour parfaire au service de la Dette, y compris les dépenses de la Caisse, tout excédent sera versé directement au Ministère des Finances. Il est constaté qu'à la date du présent Décret les dits impôts produisent £ E. 4,200,000, et que le service de la Dette, y compris les dépenses de la Caisse, exige annuellement une somme d'environ £ E. 3,600,000.

31. A cet effet les comptables supérieurs de ces provinces sont tenus de verser à la Caisse de la Dette le produit brut des impôts fonciers jusqu'à ce que les versements atteignent la somme nécessaire pour parfaire chaque année à l'annuité affectée au service de la Dette Garantie, ainsi qu'aux intérêts sur les Dettes Privilégiée et Unifiée et aux dépenses budgétaires de la Caisse, et jusqu'à ce que cette obligation soit remplie ils ne seront libérés que par les quittances de la Commission de la Dette.

32. Les dits comptables sont tenus de fournir directement à la Commission de la Dette des relevés mensuels faisant connaître :

Les droits constatés des échéances de l'impôt foncier de l'année courante et les arriérés dus sur les années antérieures ;

Les recouvrements et les dégrèvements ;

Les versements effectués à la Caisse de la Dette ;

Les restes en caisse au dernier jour du mois.

33. Est affectée au service de la Dette Garantie une annuité fixe de £ E. 307,125 (315,000%), qui sera prélevée comme première charge sur toutes les sommes affectées au service des Dettes Garantie, Privilégiée, et Unifiée.

La portion de cette annuité qui ne serait pas absorbée par le service de l'intérêt sera affectée à l'amortissement de la Dette Garantie.

34. Le service des intérêts de la Dette Privilégiée sera prélevé comme seconde charge sur les revenus affectés, et ensuite viendra comme troisième charge le service des intérêts de la Dette Unifiée.

35. En cas d'insuffisance des revenus affectés, la Commission de la Dette recourra, pour assurer le service des Dettes Garantie, Privilégiée, et Unifiée, au fonds de réserve, en observant les priorités ci-dessus et à charge de reconstituer entièrement ce fonds au moyen des premiers revenus reçus par elle qui resteraient disponibles.

Subsidiairement, le service des Dettes Garantie, Privilégiée, et Unifiée sera assuré par les ressources générales du Trésor.

36. Le Gouvernement ne pourra, sans l'assentiment des

Puissances, apporter aux impôts fonciers dans les provinces mentionnées à l'Article 30 des modifications de nature à réduire leur rendement annuel au-dessous de £ E. 4,000,000.

37. Les Commissaires de la Dette auront, même individuellement, qualité pour poursuivre devant les Tribunaux Mixtes, comme représentants légaux des porteurs des titres, l'Administration Financière représentée par le Ministre des Finances, pour l'inexécution de toute obligation qui incombe au Gouvernement en vertu de la présente Loi à l'égard de tout ce qui concerne le service des Dettes Garantie, Privilégiée, et Unifiée,

Amortissement et Remboursement.

38. Aucune partie des Dettes Garantie, Privilégiée, et Unifiée ne pourra être remboursée avant les dates indiquées à l'Article suivant, sous réserve, en ce qui concerne la Dette Garantie, des dispositions de l'Article 33.

39. A partir du 15 Juillet, 1910, le Gouvernement aura pleine liberté à rembourser au pair les Dettes Garantie et Privilégiée, soit à une même époque, soit à des époques différentes. Il en sera de même pour la Dette Unifiée à partir du 15 Juillet, 1912.

40. A partir de la même date, il sera loisible au Gouvernement de verser à la Caisse de la Dette toute somme dont il pourrait disposer, pour être employée à l'amortissement de l'une quelconque de ces dettes.

41. Tout amortissement prévu à l'Article 33 ou à l'Article 40 se fera par les soins de la Commission de la Dette.

Lorsque le cours du marché est au-dessous du pair, il se fera par rachats au cours du marché. Dans le cas contraire il s'effectuera au pair par voie de tirage.

42. Les tirages s'effectueront en séance publique ; dans le cas d'amortissement en vertu de l'Article 40, avis en sera donné au " Journal Officiel " deux mois d'avance.

43. Le remboursement des titres sortant au tirage aura lieu à partir de l'échéance du coupon suivant.

TITRE III.—*Des Dettes Domaniale et Daïra Sanieh.*

Dette Domaniale.

44. Toute insuffisance des revenus des Domaines pour parfaire au service du coupon sera comblée par le Ministre des Finances dans les conditions prescrites par les Conventions passées entre le Gouvernement et MM. de Rothschild.

45. Seront employés à l'amortissement de la Dette Domaniale :

(a.) Le produit des ventes des propriétés des Domaines ;

(b.) Les excédents des revenus nets des Domaines après paiement des coupons au taux actuel et des impôts fonciers dus au Gouvernement.

Aucun autre mode d'amortissement n'est admis.

46. Lorsque le cours du marché est au-dessous du pair, l'amortissement se fera par rachats au cours du marché. Dans le cas contraire il s'effectuera au pair par voie de tirage.

47. Sauf l'amortissement prévu à l'Article 45, la Dette Domaniale ne pourra être remboursée avant le 1^{er} Janvier, 1915. A partir de cette date, elle sera remboursable au pair.

48. Les ventes des propriétés des Domaines pourront être consenties moitié au comptant, moitié par annuités portant intérêt à 4-25 pour cent, et dont le nombre ne pourra excéder quinze.

49. Les porteurs des anciennes obligations domaniales hypothécaires d'Égypte 5 pour cent seront déchus, quinze ans après la date de la promulgation du Décret du 25 Mars, 1893, relatif à la conversion de ces obligations, du droit de réclamer les sommes ou les titres nouveaux qui pourront leur avoir été dus par suite du remboursement ou de la conversion de leurs anciens titres.

Toute somme devenant disponible par suite de cette prescription sera considérée comme faisant partie des revenus annuels des Domaines ; tout titre nouveau sera, dans les mêmes conditions, annulé.

Dette Daïra Sanieh.

50. Les dispositions des Articles 45 et 46 seront applicables à la Dette Daïra Sanieh.

51. Sous réserve des dispositions ci-dessus relatives à l'amortissement, la Dette Daïra Sanieh ne pourra être remboursée avant le 15 Octobre, 1905. A partir de cette date elle sera remboursable au pair.

TITRE IV.—*Dispositions diverses.*

Transfert du Fonds de Réserve et des Economies de Conversion, &c.

52. Les titres de la Dette Publique et les sommes en espèces actuellement déposés à la Caisse et représentant le fonds de réserve constitué conformément au Décret du 12 Juillet, 1888, et les économies réalisées par suite des conversions des anciennes Dettes Privilégiée, Domaniale, et Daïra Sanieh, conformément au Décret du 6 Juin, 1890, sont entièrement libérés de leur affectation actuelle et seront versés au Ministère des Finances,

déduction faite d'une somme suffisante pour parfaire au fonds de réserve et au fonds de roulement prévus à l'Article 27 du présent Décret.

53. Seront également versés au Ministère des Finances tous les autres fonds actuellement entre les mains de la Commission de la Dette, sous réserve des dispositions de l'Article 56.

Dans l'application du présent Article et du précédent, les titres retenus par la Caisse de la Dette entreront en compte au pair.

Liquidation de 1880.

54. Toute condamnation judiciaire résultant d'une réclamation contre le Gouvernement à raison de droits acquis antérieurement au 1^{er} Janvier, 1880, constatés avant le 1^{er} Janvier, 1886, soit par une instance engagée devant les Tribunaux, soit par un accusé de réception émanant d'une Administration compétente, soit par un acte d'huissier, sera payée intégralement en espèces.

55. Le montant de ces condamnations sera prélevé, jusqu'à épuisement complet, sur la somme de 50,000L. actuellement en dépôt à la Caisse de la Dette en titres de la Dette Priviligée et représentant le solde de l'actif de la liquidation de 1880. En cas d'insuffisance de cette somme, ces condamnations seront payées par le Gouvernement.

56. La somme de 50,000L. ci-dessus continuera en dépôt à la Caisse de la Dette pour satisfaire aux condamnations résultant des réclamations en suspens.

57. Le montant des coupons des titres qui le représentent s'ajoutera aux fonds entre les mains de la Commission de la Dette affectés au service des Dettes Garantie, Priviligée, et Unifiée.

Tout excédent, après satisfaction des réclamations en suspens, sera versé au Ministère des Finances.

Moukabalah.

58. Sont maintenues, jusqu'au 30 Juin, 1930, et suivant la répartition déjà faite, les annuités, s'élevant à la somme de £ E. 150,000 par an, actuellement admises en diminution des impôts fonciers sur les terrains, à l'égard desquels la Moukabalah a été payée antérieurement à l'année 1880.

59. Continueront à être tenus à cet effet les registres établis dans les villages où sont consignés de comptes ouverts à chaque ayant droit, avec indication des annuités successives et désignation détaillée par lieux dits, contenances et quotes-parts d'impôts des terres auxquelles les annuités sont applicables.

60. Chaque année, les annuités seront inscrites sur les "wirds" ou extraits de rôles des contribuables en diminution de leurs impôts fonciers.

61. A chaque mutation de taklif, la portion des annuités correspondant à la portion des terres aliénées sera distraite, sur le registre, du compte de l'ancien propriétaire et reportée au compte du nouveau.

Il sera délivré au nouveau propriétaire, par les soins du Moudir, un certificat énonçant le montant des annuités pour lesquelles il se trouvera inscrit sur le registre du village.

Note en sera faite sur le certificat de l'ancien propriétaire ou ce certificat sera retiré, suivant le cas.

62. Lors de l'exécution du cadastre, l'évaluation des terres et la répartition de l'impôt seront faites sans tenir compte des annuités ci-dessus.

63. Les annuités prévues au présent chapitre seront considérées comme une réduction de l'impôt foncier aux fins des Articles 30, 31, et 36 de la présente Loi.

Prescriptions.

64. La prescription quinquennale et la prescription de quinze ans établies par les Articles 275 et 272 du Code Civil et déclarées applicables aux Dettes Unifiée et Privilégiée par le Décret du 17 Juillet, 1880, continueront à être applicables la première aux intérêts des obligations des Dettes Garantie, Privilégiée, et Unifiée, la seconde aux capitaux des mêmes obligations désignées par le tirage pour l'amortissement.

Les délais de prescription seront calculés d'après le calendrier Grégorien.

Le montant des intérêts et capitaux atteints par la prescription s'ajoutera aux fonds entre les mains de la Commission de la Dette affectés au service des dettes ci-dessus.

65. Les porteurs des titres des anciennes Dettes Privilégiée et Daïra Sanieh seront déchus, quinze ans après la date de la promulgation des Décrets du 7 Juin, 1890, ou du 5 Juillet, 1890, suivant le cas, relatifs à la conversion de ces dettes, du droit de réclamer les sommes ou les titres nouveaux qui pourront leur avoir été dus par suite du remboursement ou de la conversion de leurs anciens titres.

Toute somme ainsi que tout titre devenant disponible par suite de ces prescriptions seront versés au Ministère des Finances.

Abrogations.

66. Sont et demeureront abrogés sous réserve des dispositions du second alinéa du présent Article, les Décrets mentionnés à la première Annexe à la présente Loi, ainsi que les Articles de Décrets mentionnés à la seconde Annexe.

Néanmoins, aucune de ces abrogations n'aura pour effet :

(1.) De faire renaître à l'encontre du Gouvernement aucune action qui avait été annulée par l'un des Décrets ci-dessus men-

tionnés ou qui, immédiatement avant l'entrée en vigueur de la présente Loi, serait prescrite ou périmée ;

(2.) De rendre aucune juridiction compétente pour connaître d'une réclamation dont, immédiatement avant l'entrée en vigueur de la présente Loi, elle était incompétente pour connaître ;

(3.) De remettre en vigueur aucune disposition antérieure de la Loi abrogée par l'un des dits Décrets ;

(4.) D'interrompre aucune prescription.

Entrée en vigueur et exécution.

67. La présente Loi entrera en vigueur trente jours après sa promulgation au "Journal Officiel."

68. Nos Ministres sont chargés, chacun en ce qui le concerne, de l'exécution de la présente Loi.

Annex I.

Liste de Décrets abrogés.

Date du Décret.	Objet.
Le 6 Avril, 1876 ...	Suspension de paiement de bons et assignations.
Le 2 Mai, 1876 ...	Instituant la Caisse de la Dette.
Le 7 Mai, 1876 ...	Unification de la Dette.
Le 25 Mai, 1876 ...	Règlement d'exécution du Décret du 7 Mai-1876.
Le 18 Novembre, 1876 ...	Conversion de la Dette.
Le 6 Décembre, 1876 ...	Règlement d'exécution du Décret du 18 Novembre, 1876.
Le 15 Décembre, 1877 ...	Modifications des époques du service de la Dette Unifiée.
Le 30 Mars, 1879 ...	Suspension du service de l'Emprunt 1864.
Le 22 Avril, 1879 ...	Règlement des dettes du Gouvernement.
Le 25 Décembre, 1879 ...	Composition du Conseil d'Administration des Chemins de Fer.
Le 3 Mars, 1880 ...	Suspension de l'amortissement de l'Emprunt 1864.
Le 31 Mars, 1880 ...	Instituant une Commission de Liquidation.
Le 26 Avril, 1880 ...	Paiement à 4 pour cent du coupon du 1 ^{er} Mai, 1880, de la Dette Unifiée.
Le 11 Mai, 1880 ...	Suspension du service de l'Emprunt 1867.
Le 6 Juillet, 1880 ...	Suspension du service de l'Emprunt 1865-66.
Le 12 Avril, 1885 ...	Retenue de 5 pour cent sur les coupons de la Dette jusqu'au 1 ^{er} Juin, 1885.
Le 27 Juillet, 1885 ...	Emprunt Garanti.
Le 28 Juillet, 1885 ...	Emission de l'Emprunt Garanti.

Date du Décret.	Objet.
Le 22 Juin, 1886 ...	Emploi des sommes provenant de l'Emprunt Garanti.
Le 22 Juin, 1886 ...	Irrecevabilité de l'opposition au paiement des coupons et au remboursement des titres de la dette.
Le 12 Avril, 1887 ...	Paiement des coupons des Dettes Privilegiée et Unifiée à Berlin en or.
Le 14 Juillet, 1887 ...	Autorisant les Commissaires de la Dette à fixer le change des paiements de la Dette à Paris et à Berlin.
Le 26 Janvier, 1888 ...	Augmentation des dépenses administratives.
Le 2 Avril, 1888 ...	Augmentation des dépenses administratives pour le service de la Corvée.
Le 30 Avril, 1888 ...	Emprunt de £ E. 2,000,000.
Le 12 Juillet, 1888 ...	Constitution d'un fonds de réserve de £ E. 2,000,000.
Le 14 Juin, 1889 ...	Augmentation des dépenses administratives pour le service de la Corvée.
Le 19 Décembre, 1889 ...	Suppression de la Corvée.
Le 2 Juin, 1890 ...	Modification de la date à laquelle sera arrêté le compte des excédents de Revenus Affectés.
Le 6 Juin, 1890 ...	Conversion des Dettes Privilegiée, Domaniale, et Daïra Sanieh.
Le 7 Juin, 1890 ...	Exécution de la conversion de la Dette Privilegiée.
Le 5 Juillet, 1890 ...	Exécution de la conversion de la Dette de la Daïra Sanieh.
Le 8 Novembre, 1890 ...	Dates du remboursement des Dettes Privilegiée et Daïra Sanieh.
Le 13 Janvier, 1891 ...	Clôture des opérations de la conversion de la Dette Privilegiée.
Le 8 Décembre, 1891 ...	Augmentation des dépenses administratives pour l'assainissement de la ville du Caire.
Le 18 Mars, 1893 ...	Fixant à 4½ pour cent le taux de la nouvelle Dette Domaniale.
Le 25 Mars, 1893 ...	Exécution de la conversion de la Dette Domaniale.
Le 29 Mai, 1893 ...	Date du remboursement de la Dette Domaniale.
Le 10 Février, 1894 ...	Prélèvement annuel de £ E. 5,000 sur le droit d'abatage.
Le 10 Décembre, 1894 ...	Affectation du droit de bacs sur les canaux.
Le 15 Mai, 1895 ...	Modification de l'Article 35 du Décret du 17 Juillet, 1880. Budget de la Commission de la Dette.
Le 26 Novembre, 1898 ...	Réduction de l'impôt foncier.
Le 13 Novembre, 1899 ...	Procédure pour les décisions de la Caisse de la Dette.
Le 20 Janvier, 1900 ...	Emploi des économies—remboursement et amortissement de la Dette Domaniale.
Le 12 Juillet, 1900 ...	Emprunt de £ E. 1,700,000.
Le 21 Mai, 1902 ...	Augmentation du budget des dépenses des chemins de fer.

Annex II.

Liste de Décrets abrogés en partie.

Date du Décret.	Objet.	Partie abrogée.
Le 6 Janvier, 1880	Portant abrogation de la Moukabalah	Les Articles 3, 4.
Le 17 Juillet, 1880	Loi de Liquidation ...	Les Articles 1-39, 63-98.
Le 8 Mars, 1891	Loi sur les Patentes ...	L'Article 1, 2°, les Articles 2-29.
Le 26 Décembre, 1891	Rattachant au Gouvernorat d'Alexandrie le service des Contributions	L'Article 4.
Le 28 Janvier, 1892	Portant suppression de la corvée, &c.	Les Articles 2, 3, 4, 6, 7.
Le 25 Décembre, 1894	Portant prélèvement annuel de £ E. 40,000 sur les droits de phare, &c.	L'Article 7.

APPENDIX.

(No. 1.)

The Marquess of Lansdowne to M. Cambon.

Your Excellency,

Foreign Office, April 8, 1904.

WITH reference to the Declaration which we have signed to-day relating to Egypt and Morocco, I have the honour to give to your Excellency, on behalf of His Majesty's Government, the following supplementary assurances, on which we have come to an agreement in the course of our discussions:—

1. Measures will be taken by the Egyptian Government, in concert with the Caisse de la Dette, in order to insure, in any eventuality resulting from the Khedivial Decree annexed to the Declaration, that the staff of the Caisse will be treated in a manner at least as favourable as that in which the staff of the Daira Sanieh was treated by the decisions of the 14th December, 1899, and the 20th March, 1900.

If within three years from the date of the Declaration any employés of the administration of the railways, telegraphs, and port of Alexandria are discharged in consequence of the application of these arrangements, they will have the right to be treated as provided in the preceding paragraph.

2. The rights of every description possessed by the "Société Générale des Sucreries et de la Raffinerie d'Égypte" at the date

of the aforesaid Declaration in virtue of concessions of the Egyptian Government shall be maintained intact.

I shall be obliged if, in acknowledging the receipt of this communication, your Excellency will confirm the acceptance by the Government of the French Republic of the agreement thus established.

I have, &c.

(Signed) LANSDOWNE.

(No. 2.)

M. Cambon to the Marquess of Lansdowne.

*Ambassade de France, Londres,
le 8 Avril, 1904.*

M. le Marquis,

J'AI l'honneur d'accuser réception à votre Seigneurie de sa note de ce jour, contenant les assurances supplémentaires que le Gouvernement de Sa Majesté Britannique veut bien donner à mon Gouvernement pour compléter la Déclaration échangée à la date d'aujourd'hui au sujet de l'Égypte et du Maroc.

Ces assurances sont les suivantes:—

1. Des dispositions seront prises par le Gouvernement Égyptien d'accord avec la Commission de la Dette afin d'assurer dans toute éventualité résultant du Décret à intervenir au personnel de la Caisse de la Dette un traitement au moins aussi favorable que celui qui a été accordé au personnel de la Daïra Sanieh par les décisions du 14 Décembre, 1899, et du 20 Mars, 1900.

Si dans les trois années à partir de la date de la Déclaration de ce jour quelques employés de l'administration des chemins de fer, télégraphes, et port d'Alexandrie venaient à être licenciés par suite de l'application de cet arrangement ils auraient le bénéfice du traitement stipulé dans l'alinéa précédent.

2. Les droits de toute nature possédés par la "Société Générale des Sucreries et de la Raffinerie d'Égypte," à la date de la Déclaration sus-mentionnée en vertu des concessions du Gouvernement Égyptien seront, maintenus intacts.

Mon Gouvernement prend acte de ces assurances comme complément de la Déclaration de ce jour.

Veuillez, &c.

(Signé) PAUL CAMBON,

GENERAL.

No. 74.

INTERNATIONAL CONVENTION FOR THE PROTECTION OF INDUSTRIAL PROPERTY.*

Signed at Paris, March 20, 1883.

[*Ratifications exchanged at Paris, June 6, 1884.*]

I.

International Convention.

SA Majesté le Roi des Belges, Sa Majesté l'Empereur du Brésil, Sa Majesté le Roi d'Espagne, le Président de la République Française, le Président de la République de Guatemala, Sa Majesté le Roi d'Italie, Sa Majesté le Roi des Pays-Bas, Sa Majesté le Roi de Portugal et des Algarves, le Président de la République de Salvador, Sa Majesté le Roi de Serbie et le Conseil Fédéral de la Confédération Suisse ;

Également animés du désir d'assurer, d'un commun accord, une complète et efficace protection à l'industrie et au commerce des nationaux de leurs États respectifs et de contribuer à la garantie des droits des inventeurs et de la loyauté des transactions commerciales, ont résolu de conclure une Convention à cet effet, et ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté le Roi des Belges: M. le Baron Beyens, Grand Officier de son Ordre Royal de Léopold, Grand Officier de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris ;

Sa Majesté l'Empereur du Brésil: M. Jules Constant, Comte de Villeneuve, Membre du Conseil de Sa Majesté, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges, Commandeur de l'Ordre du Christ, Officier de son Ordre de la Rose, Chevalier de la Légion d'Honneur, &c. ;

Sa Majesté le Roi d'Espagne: Son Excellence M. le Duc de

* The Commonwealth of Australia acceded to this Convention on August 5, 1907.

Fernan-Núñez, de Montellano et del Arco, Comte de Cervellon, Marquis de Almonacir, Grand d'Espagne de Première Classe, Chevalier de l'Ordre Insigne de la Toison d'Or, Grand-Croix de l'Ordre de Charles III, Chevalier de Calatrava, Grand-Croix de la Légion d'Honneur, &c., Sénateur du Royaume, son Ambassadeur Extraordinaire et Plénipotentiaire à Paris ;

Le Président de la République Française : M. Paul Challemel-Lacour, Sénateur, Ministre des Affaires Étrangères ; M. Hérisson, Député, Ministre du Commerce ; M. Charles Jagerschmidt, Ministre Plénipotentiaire de Première Classe, Officier de l'Ordre National de la Légion d'Honneur, &c. ;

Le Président de la République de Guatemala : M. Crisanto Medina, Officier de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris ;

Sa Majesté le Roi d'Italie, M. Constantin Ressman, Commandeur de ses Ordres des Saints Maurice et Lazare et de la Couronne d'Italie, Commandeur de la Légion d'Honneur, &c., Conseiller de l'Ambassade d'Italie à Paris ;

Sa Majesté le Roi des Pays-Bas : M. le Baron de Zuylen de Nyevelt, Commandeur de son Ordre du Lion Néerlandais, Grand-Croix de son Ordre Grand Ducal de la Couronne de Chêne et du Lion d'Or de Nassau, Grand Officier de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris ;

Sa Majesté le Roi de Portugal et des Algarves : M. José da Silva Mendes Leal, Conseiller d'État, Pair du Royaume, Ministre et Secrétaire d'État Honoraire, Grand-Croix de l'Ordre de Saint-Jacques, Chevalier de l'Ordre de la Tour et de l'Épée de Portugal, Grand Officier de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris ; M. Fernand de Azevedo, Officier de la Légion d'Honneur, &c., Premier Secrétaire de la Légation de Portugal à Paris ;

Le Président de la République de Salvador : M. Torres-Cañedo, Membre Correspondant de l'Institut de France, Grand Officier de la Légion d'Honneur, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris ;

Sa Majesté le Roi de Serbie : M. Sima M. Marinovitch, Chargé d'Affaires par intérim de Serbie, Chevalier de l'Ordre Royal de Takovo, &c. ;

Et le Conseil Fédéral de la Confédération Suisse : M. Charles-Édouard Lardy, son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris ; M. J. Weibel, Ingénieur à Genève, Président de la Section Suisse de la Commission Permanente pour la Protection de la Propriété Industrielle ;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

ARTICLE I.

Constitution of Union for Protection of Industrial Property.

Les Gouvernements de la Belgique, du Brésil, de l'Espagne, de la France, du Guatemala, de l'Italie, des Pays-Bas, du Portugal, du Salvador, de la Serbie et de la Suisse sont constitués à l'État d'Union pour la protection de la Propriété Industrielle.

ARTICLE II.

The Subjects of each State of the Union shall enjoy in all the other States National Treatment as to Trade Marks, &c.

Les sujets ou citoyens de chacun des États Contractants jouiront, dans tous les autres États de l'Union, en ce qui concerne les brevets d'invention, les dessins ou modèles industriels, les marques de fabrique ou de commerce et le nom commercial, des avantages que les lois respectives accordent actuellement ou accorderont par la suite aux nationaux.

En conséquence, ils auront la même protection que ceux-ci et le même recours légal contre toute atteinte portée à leurs droits, sous réserve de l'accomplissement des formalités et des conditions imposées aux nationaux par la législation intérieure de chaque État.

ARTICLE III.

Privileges of Subjects of Non-Union States resident or having Establishments in the Territory of a Union State.

Sont assimilés aux sujets ou citoyens des États Contractants les sujets ou citoyens des États ne faisant pas partie de l'Union qui sont domiciliés ou ont des établissements industriels ou commerciaux sur le territoire de l'un des États de l'Union.

ARTICLE IV.

Registration in the other States of Trade Marks, &c., applied for in one State of the Union.

Celui qui aura régulièrement fait le dépôt d'une demande de brevet d'invention, d'un dessin ou modèle industriel, d'une marque de fabrique ou de commerce, dans l'un des États Contractants, jouira, pour effectuer le dépôt dans les autres États, et sous réserve des droits des tiers, d'un droit de priorité pendant les délais déterminés ci-après.

En conséquence, le dépôt ultérieurement opéré dans l'un des autres États de l'Union avant l'expiration de ces délais ne pourra être invalidé par des faits accomplis dans l'intervalle, soit, notamment, par un autre dépôt, par la publication de l'invention ou son exploitation par un tiers, par la mise en vente d'exemplaires du dessin ou du modèle, par l'emploi de la marque.

Les délais de priorité mentionnés ci-dessus seront de six mois pour les brevets d'invention, et de trois mois pour les dessins ou modèles industriels, ainsi que pour les marques de fabrique ou de commerce. Ils seront augmentés d'un mois pour les pays d'outre-mer.

ARTICLE V.

Introduction by Patentee in one State of Union of objects manufactured in the others.

L'introduction par le breveté, dans le pays où le brevet a été délivré, d'objets fabriqués dans l'un ou l'autre des États de l'Union, n'entraînera pas la déchéance.

Toutefois le breveté restera soumis à l'obligation d'exploiter son brevet conformément aux lois du pays où il introduit les objets brevetés.

ARTICLE VI.

Trade-marks Registered in their Country of Origin to be protected in the other Countries of the Union.

Toute marque de fabrique ou de commerce régulièrement déposée dans le pays d'origine sera admise au dépôt et protégée telle quelle dans tous les autres pays de l'Union.

Sera considéré comme pays d'origine le pays où le déposant a son principal établissement.

Si ce principal établissement n'est point situé dans un des pays de l'Union, sera considéré comme pays d'origine celui auquel appartient le déposant.

Le dépôt pourra être refusé, si l'objet pour lequel il est demandé est considéré comme contraire à la morale ou à l'ordre public.

ARTICLE VII.

Nature of Goods no obstacle to Registration of Trade-mark.

La nature du produit sur lequel la marque de fabrique ou de commerce doit être apposée ne peut, dans aucun cas, faire obstacle au dépôt de la marque.

ARTICLE VIII.

Protection of Trade Names.

Le nom commercial sera protégé dans tous les pays de l'Union sans obligation de dépôt, qu'il fasse ou non partie d'une marque de fabrique ou de commerce.

ARTICLE IX.

Seizure of Goods imported into States of the Union bearing Fraudulent Trade-marks.

Tout produit portant illicitement une marque de fabrique ou de commerce, ou un nom commercial, pourra être saisi à l'importation dans ceux des États de l'Union dans lesquels cette marque ou ce nom commercial ont droit à la protection légale.

La saisie aura lieu à la requête soit du Ministère Public, soit de la partie intéressée, conformément à la législation intérieure de chaque État.

ARTICLE X.

Application of preceding Articles to Goods bearing False Indications of Origin.

Les dispositions de l'Article précédent seront applicables à tout produit portant faussement, comme indication de provenance, le nom d'une localité déterminée, lorsque cette indication sera jointe à un nom commercial fictif ou emprunté dans une intention frauduleuse.

Est réputé partie intéressée tout fabricant ou commerçant engagé dans la fabrication ou le commerce de ce produit, et établi dans la localité faussement indiquée comme provenance.

ARTICLE XI.

Temporary Protection of Trade-marks, &c., on Goods in International Exhibitions.

Les Hautes Parties Contractantes s'engagent à accorder une protection temporaire aux inventions brevetables, aux dessins ou modèles industriels, ainsi qu'aux marques de fabrique ou de commerce, pour les produits qui figureront aux Expositions Internationales officielles ou officiellement reconnues.

ARTICLE XII.

Each Country to establish a Special Department for Industrial Property and a Central Office for communicating to the Public Trade-marks, &c.

Chacune des Hautes Parties Contractantes s'engage à établir un service spécial de la Propriété Industrielle et un dépôt central, pour la communication au public des brevets d'invention, des dessins ou modèles industriels et des marques de fabrique ou de commerce.

ARTICLE XIII.

Establishment of an International Bureau for the protection of Industrial Property.

Un office international sera organisé sous le titre de "Bureau International de l'Union pour la Protection de la Propriété Industrielle."

Ce bureau, dont les frais seront supportés par les Administrations de tous les États Contractants, sera placé sous la haute autorité de l'Administration Supérieure de la Confédération Suisse, et fonctionnera sous sa surveillance. Les attributions en seront déterminées d'un commun accord entre les États de l'Union.

ARTICLE XIV.

Convention to be revised periodically.

La présente Convention sera soumise à des revisions périodiques en vue d'y introduire les améliorations de nature à perfectionner le système de l'Union.

A cet effet, des Conférences auront successivement, dans l'un des États Contractants, entre les Délégués des dits États.

La prochaine réunion aura lieu en 1885, à Rome.

ARTICLE XV.

The Union States may make Separate Arrangements among themselves.

Il est entendu que les Hautes Parties Contractantes se réservent respectivement le droit de prendre séparément, entre elles, des arrangements particuliers pour la protection de la

Propriété Industrielle, en tant que ces arrangements ne contraviendraient point aux dispositions de la présente Convention.

ARTICLE XVI.

Non-Union States may adhere to the Union.

Les États qui n'ont point pris part à la présente Convention seront admis à y adhérer sur leur demande.

Cette adhésion sera notifiée par la voie diplomatique au Gouvernement de la Confédération Suisse, et par celui-ci à tous les autres.

Elle emportera, de plein droit, accession à toutes les clauses et admission à tous les avantages stipulés par la présente Convention.

ARTICLE XVII.

Execution of Reciprocal Engagements of Convention subordinated to the Laws of the respective Countries.

L'exécution des engagements réciproques contenus dans la présente Convention est subordonnée, en tant que de besoin, à l'accomplissement des formalités et règles établies par les lois constitutionnelles de celles des Hautes Parties Contractantes qui sont tenues d'en provoquer l'application, ce qu'elles s'obligent à faire dans le plus bref délai possible.

ARTICLE XVIII.

Duration of Convention.

La présente Convention sera mise à exécution dans le délai d'un mois à partir de l'échange des ratifications et demeurera en vigueur pendant un temps indéterminé, jusqu'à l'expiration d'une année à partir du jour où la dénonciation en sera faite.

Cette dénonciation sera adressée au Gouvernement chargé de recevoir les adhésions. Elle ne produira son effet qu'à l'égard de l'État qui l'aura faite, la Convention restant exécutoire pour les autres Parties Contractantes.

ARTICLE XIX.

Ratifications.

La présente Convention sera ratifiée, et les ratifications en seront échangées à Paris, dans le délai d'un an au plus tard.

En foi de quoi les Plénipotentiaires respectifs l'ont signée et y ont apposé leurs cachets.

Fait à Paris, le 20 Mars, 1883.

(Signé)

(L.S.)	BEYENS.
(L.S.)	VILLENEUVE.
(L.S.)	DUC DE FERNAN-NUNEZ.
(L.S.)	P. CHALLEMEL-LACOUR.
(L.S.)	CH. HERISSON.
(L.S.)	CH. JAGERSCHMIDT.
(L.S.)	CRISANTO-MEDINA.
(L.S.)	RESSMAN.
(L.S.)	BARON DE ZUYLEN DE NYEVELT.
(L.S.)	JOSE DA SILVA MENDES LEAL.
(L.S.)	F. D'AZEVEDO.
(L.S.)	J.-M. TORRES-CAICEDO.
(L.S.)	SIMA M. MARINOVITCH.
(L.S.)	LARDY.
(L.S.)	J. WEIBEL.

II.

FINAL PROTOCOL.

Au moment de procéder à la signature de la Convention conclue, à la date de ce jour, entre les Gouvernements de la Belgique, du Brésil, de l'Espagne, de la France, du Guatemala, de l'Italie, des Pays-Bas, du Portugal, du Salvador, de la Serbie, et de la Suisse, pour la protection de la Propriété Industrielle, les Plénipotentiaires soussignés sont convenus de ce qui suit :

Definition of "Industrial Property."

1. Les mots "Propriété Industrielle" doivent être entendus dans leur acception la plus large, en ce sens qu'ils s'appliquent non seulement aux produits de l'industrie proprement dite, mais également aux produits de l'agriculture (vins, grains, fruits, bestiaux, &c.) et aux produits minéraux livrés au commerce (eaux minérales, &c.).

Definition of "Patents."

2. Sous le nom de "Brevets d'Invention" sont comprises les diverses espèces de brevets industriels admises par les législations des États Contractants, telles que brevets d'importation, brevets de perfectionnement, &c.

Procedure and Competence of Tribunals.

3. Il est entendu que la disposition finale de l'Article II de la Convention ne porte aucune atteinte à la législation de chacun des États Contractants, en ce qui concerne la procédure suivie devant les Tribunaux et la compétence de ces Tribunaux.

Legislation as to Trade-marks in each State.

4. Le paragraphe 1^{er} de l'Article VI doit être entendu en ce sens qu'aucune marque de fabrique ou de commerce ne pourra être exclue de la protection dans l'un des États de l'Union par le fait seul qu'elle ne satisferait pas, au point de vue des signes qui la composent, aux conditions de la législation de cet État, pourvu qu'elle satisfasse, sur ce point, à la législation du pays d'origine et qu'elle ait été, dans ce dernier pays, l'objet d'un dépôt régulier. Sauf cette exception, qui ne concerne que la forme de la marque, et sous réserve des dispositions des autres Articles de la Convention, la législation intérieure de chacun des États recevra son application.

Pour éviter toute fausse interprétation, il est entendu que l'usage des armoiries publiques et des décorations peut être considéré comme contraire à l'ordre public, dans le sens du paragraphe final de l'Article VI.

Publication in each State of a Periodical Official Paper.

5. L'organisation du service spécial de la Propriété Industrielle mentionné à l'Article XII comprendra, autant que possible, la publication, dans chaque État, d'une feuille officielle périodique.

Expenses of the International Bureau.

6. Les frais communs du Bureau International institué par l'Article XIII ne pourront, en aucun cas, dépasser, par année, une somme totale représentant une moyenne de 2,000 fr. par chaque État Contractant.

Pour déterminer la part contributive de chacun des États dans cette somme totale des frais, les États Contractants et ceux qui adhéreraient ultérieurement à l'Union seront divisés en six classes contribuant chacune dans la proportion d'un certain nombre d'unités, savoir :—

1 ^{re} classe	...	...	...	...	25 unités.
2 ^e classe	...	...	...	...	20 "
3 ^e classe	...	...	...	...	15 "
4 ^e classe	...	...	...	...	10 "
5 ^e classe	...	...	...	...	5 "
6 ^e classe	...	...	...	...	3 "

Ces coefficients seront multipliés par le nombre des États de chaque classe, et la somme des produits ainsi obtenus fournira le nombre d'unités par lequel la dépense totale doit être divisée. Le quotient donnera le montant de l'unité de dépense.

Les États Contractants sont classés ainsi qu'il suit, en vue de la répartition des frais :—

1 ^{re} classe	...	France, Italie.
2 ^e classe	...	Espagne.
3 ^e classe	...	Belgique, Brésil, Portugal, Suisse.
4 ^e classe	...	Pays-Bas.
5 ^e classe	...	Serbie.
6 ^e classe	...	Guatémala, Salvador.

L'Administration Suisse surveillera les dépenses du Bureau International, fera les avances nécessaires et établira le compte annuel, qui sera communiqué à toutes les autres Administrations.

Le Bureau International centralisera les renseignements de toute nature relatifs à la protection de la Propriété Industrielle et les réunira en une statistique générale, qui sera distribuée à toutes les Administrations. Il procédera aux études d'utilité commune intéressant l'Union et rédigera, à l'aide des documents qui seront mis à sa disposition par les diverses Administrations, une feuille périodique, en langue Française, sur les questions concernant l'objet de l'Union.

Les numéros de cette feuille, de même que tous les documents publiés par le Bureau International, seront répartis entre les Administrations des États de l'Union, dans la proportion du nombre des unités contributives ci-dessus mentionnées. Les exemplaires et documents supplémentaires qui seraient réclamés, soit par les dites Administrations, soit par des Sociétés ou des particuliers, seront payés à part.

Le Bureau International devra se tenir en tout temps à la disposition des membres de l'Union, pour leur fournir, sur les questions relatives au service international de la Propriété Industrielle, les renseignements spéciaux dont ils pourraient avoir besoin.

L'Administration du pays où doit siéger la prochaine Conférence préparera, avec le concours du Bureau International, les travaux de cette Conférence.

Le Directeur du Bureau International assistera aux séances des Conférences et prendra part aux discussions sans voix délibérative. Il fera, sur sa gestion, un Rapport annuel, qui sera communiqué à tous les membres de l'Union.

La langue officielle du Bureau International sera la langue Française.

This Protocol to form an integral part of the Convention.

7. Le présent Protocole de Clôture, qui sera ratifié en même temps que la Convention conclue à la date de ce jour,

sera considéré comme faisant partie intégrante de cette Convention, et aura même force, valeur et durée.

En foi de quoi, les Plénipotentiaires soussignés ont dressé le présent Protocole.

(Signé) BEYENS.
VILLENEUVE.
DUC DE FERNAN-NUNEZ.
P. CHALLEMEL-LACOUR.
CH. HERISSON.
CH. JAGERSCHMIDT.
CRISANTO-MEDINA.
RESSMAN.
BARON DE ZUYLEN DE NYEVELT.
JOSE DA SILVA MENDES LEAL.
F. D'AZEVEDO.
J.-M. TORRES-CAICEDO.
SIMA M. MARINOVITCH.
LARDY.
J. WEIBEL.

III.

ACCESSION OF HER MAJESTY'S GOVERNMENT TO THE CONVENTION SIGNED AT PARIS, MARCH 20, 1883.

THE Undersigned, Ambassador Extraordinary and Plenipotentiary of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland to the French Republic, declares that Her Britannic Majesty, having had the International Convention for the Protection of Industrial Property, concluded at Paris on the 20th March, 1883, and the Protocol relating thereto, signed on the same date, laid before her, and availing herself of the right reserved by Article XVI of that Convention to States not parties to the original Convention, accedes, on behalf of the United Kingdom of Great Britain and Ireland, to the said International Convention for the Protection of Industrial Property, and to the said Protocol, which are to be considered as inserted word for word in the present Declaration, and formally engages, as far as regards the President of the French Republic and the other High Contracting Parties, to co-operate on her part in the execution of the stipulations contained in the Convention and Protocol aforesaid.

The Undersigned makes this Declaration on the part of Her Britannic Majesty with the express understanding that power is reserved to Her Britannic Majesty to accede to the Convention on behalf of the Isle of Man and the Channel Islands, and any of Her Majesty's possessions, on due notice to that effect being given through Her Majesty's Government.

In witness whereof the Undersigned, duly authorized, has signed the present Declaration of Accession, and has affixed thereto the seal of his arms.

Done at Paris, on the 17th day of March, 1884.

(L.S.) (Signed) LYONS.

IV.

DECLARATION OF ACCEPTANCE OF ACCESSION.

SA Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande ayant accédé à la Convention Internationale, relative à la protection de la Propriété Industrielle, conclue à Paris le 20 Mars, 1883, et suivie d'un Protocole en date du même jour, en vertu de l'Acte d'Accession délivré par son Ambassadeur Extraordinaire et Plénipotentiaire près le Gouvernement de la République Française; acte dont la teneur suit ici, mot pour mot:—

[Here is inserted the text of No. III in English.]

Le Président de la République Française a autorisé le Soussigné, Président du Conseil, Ministre des Affaires Étrangères, à accepter formellement la dite accession, y compris les réserves qui y sont contenues, concernant l'Île de Man, les Îles de la Manche et toutes autres possessions de Sa Majesté Britannique, s'engageant, tant en son nom qu'au nom des autres Hautes Parties Contractantes, à concourir à l'accomplissement des obligations stipulées dans la Convention et le Protocole y annexé, qui pourront concerner le Royaume-Uni de la Grande-Bretagne et d'Irlande.

En foi de quoi, le Soussigné, dument autorisé, a dressé le présent Acte d'Acceptation et y a fait apposer son cachet.

Fait à Paris, le 2 Avril, 1884.

(L.S.) (Signé) JULES FERRY.

No. 75.

CONVENTION BETWEEN GREAT BRITAIN, GERMANY, AUSTRIA-HUNGARY, SPAIN, FRANCE, ITALY, THE NETHERLANDS, RUSSIA, AND TURKEY, RESPECTING THE FREE NAVIGATION OF THE SUEZ MARITIME CANAL.

Signed at Constantinople, October 29, 1888.

[*Ratifications deposited at Constantinople, December 22, 1888.*]

Au nom de Dieu Tout-Puissant.

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes; Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., et Roi Apostolique de Hongrie; Sa Majesté le Roi d'Espagne et en son nom la Reine-Régente du Royaume; le Président de la République Française; Sa Majesté le Roi d'Italie; Sa Majesté le Roi des Pays-Bas, Grand-Duc de Luxembourg, &c.; Sa Majesté l'Empereur de Toutes les Russies; et Sa Majesté l'Empereur des Ottomans, voulant consacrer, par un Acte Conventionnel, l'établissement d'un régime définitif, destiné à garantir, en tout temps et à toutes les Puissances, le libre usage du Canal Maritime de Suez et compléter ainsi le régime sous lequel la navigation par ce Canal a été placée, par le Firman de Sa Majesté Impériale le Sultan, en date du 22 Février, 1866 (2 Zilkadé, 1282), sanctionnant les Concessions de Son Altesse le Khédive, ont nommé pour leurs Plénipotentiaires, savoir:

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes, le Très-Honorable Sir William Arthur White, son Ambassadeur Extraordinaire et Plénipotentiaire;

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, le Sieur Joseph de Radowitz, son Ambassadeur Extraordinaire et Plénipotentiaire;

Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., et Roi Apostolique de Hongrie, le Sieur Henri, Baron de Calice, son Ambassadeur Extraordinaire et Plénipotentiaire;

Sa Majesté le Roi d'Espagne et en son nom la Reine-Régente du Royaume, le Sieur Don Miguel Florez y Garcia, son Chargé d'Affaires;

Le Président de la République Française, le Sieur Gustave Louis Lannes, Comte de Montebello, Ambassadeur Extraordinaire et Plénipotentiaire de France;

Sa Majesté le Roi d'Italie, le Sieur Albert, Baron Blanc, son Ambassadeur Extraordinaire et Plénipotentiaire ;

Sa Majesté le Roi des Pays-Bas, Grand-Duc de Luxembourg, &c., le Sieur Gustave Keun, son Chargé d'Affaires ;

Sa Majesté l'Empereur de Toutes les Russies, le Sieur Alexandre de Nélidow, son Ambassadeur Extraordinaire et Plénipotentiaire ;

Sa Majesté l'Empereur des Ottomans, Mehemmed Saïd Pacha, son Ministre des Affaires Étrangères ;

Lesquels, s'étant communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

ARTICLE I.

Suez Canal to be Free and Open in time of War as in time of Peace to the Merchant-ships and War-ships of all countries.

Le Canal Maritime de Suez sera toujours libre et ouvert, en temps de guerre comme en temps de paix, à tout navire de commerce ou de guerre, sans distinction de pavillon.

En conséquence, les Hautes Parties Contractantes conviennent de ne porter aucune atteinte au libre usage du Canal en temps de guerre comme en temps de paix.

Le Canal ne sera jamais assujetti à l'exercice du droit de blocus.

ARTICLE II.

Engagements of Khedive towards and security of Fresh Water Canal.

Les Hautes Parties Contractantes, reconnaissant que le Canal d'Eau-Douce est indispensable au Canal Maritime, prennent acte des engagements de Son Altesse le Khédive envers la Compagnie Universelle du Canal de Suez, en ce qui concerne le Canal d'Eau-Douce, engagements stipulés dans une Convention en date du 18 Mars, 1863, contenant un exposé et quatre Articles.

Elles s'engagent à ne porter aucune atteinte à la sécurité de ce Canal et de ses dérivations, dont le fonctionnement ne pourra être l'objet d'aucune tentative d'obstruction.

ARTICLE III.

Plant, works, &c., of Fresh Water Canal to be respected.

Les Hautes Parties Contractantes s'engagent de même à respecter le matériel, les établissements, constructions, et travaux du Canal Maritime et du Canal d'Eau-Douce.

ARTICLE IV.

No act of hostility to be committed in the Canal or within three miles of its Ports, or any act to obstruct its Free Navigation.

Le Canal Maritime restant ouvert, en temps de guerre, comme passage libre, même aux navires de guerre des belligérants, aux termes de l'Article I^{er} du présent Traité, les Hautes Parties Contractantes conviennent qu'aucun droit de guerre, aucun acte d'hostilité ou aucun acte ayant pour but d'entraver la libre navigation du Canal ne pourra être exercé dans le Canal et ses ports d'accès, ainsi que dans un rayon de 3 milles marins de ces ports, alors même que l'Empire Ottoman serait l'une des Puissances belligérantes.

War-ships of Belligerents not to revictual in the Canal or its Ports.

Les bâtiments de guerre des belligérants ne pourront, dans le Canal et ses ports d'accès, se ravitailler ou s'approvisionner que dans la limite strictement nécessaire. Le transit des dits bâtiments par le Canal s'effectuera dans le plus bref délai d'après les Règlements en vigueur, et sans autre arrêt que celui qui résulterait des nécessités du service.

No Belligerent War-ship to remain more than 24 hours at Port Saïd or Suez.—24 hours to elapse between the Clearance of a Belligerent War-ship and the Departure of an Enemy's Ship.

Leur séjour à Port-Saïd et dans la rade de Suez ne pourra dépasser vingt-quatre heures sauf le cas de relâche forcée. En pareil cas, ils seront tenus de partir le plus tôt possible. Un intervalle de vingt-quatre heures devra toujours s'écouler entre la sortie d'un port d'accès d'un navire belligérant et le départ d'un navire appartenant à la Puissance ennemie.

ARTICLE V.

Belligerents not to land or embark in the Canal or its Ports, Troops, nor Munitions of War.

En temps de guerre, les Puissances belligérantes ne débarqueront et ne prendront dans le Canal et ses ports d'accès, ni troupes, ni munitions, ni matériel de guerre. Mais dans le cas d'un empêchement accidentel dans le Canal, on pourra embarquer ou débarquer, dans les ports d'accès, des troupes fractionnées par groupes n'excédant pas 1,000 hommes avec le matériel de guerre correspondant.

ARTICLE VI.

Prizes to be subject to the Same Rules as Belligerent War-ships.

Les prises seront soumises sous tous les rapports au même régime que les navires de guerre des belligérants.

ARTICLE VII.

No War-ships to be stationed in the Canal.

Les Puissances ne maintiendront dans les eaux du Canal (y compris le Lac Timsah et les Lacs Amers) aucun bâtiment de guerre.

No Power to station more than two War-ships at Port Saïd or Suez.

Toutefois, dans les ports d'accès de Port-Saïd et de Suez, elles pourront faire stationner des bâtiments de guerre dont le nombre ne devra pas excéder deux pour chaque Puissance.

This right cannot be exercised by Belligerents.

Ce droit ne pourra être exercé par les belligérants.

ARTICLE VIII.

The Agents in Egypt of the Signatory Powers are charged to watch over Execution of this Convention.

Les Agents en Égypte des Puissances signataires du présent Traité seront chargés de veiller à son exécution. En toute circonstance qui menacerait la sécurité ou le libre passage du Canal, ils se réuniront sur la convocation de trois d'entre eux et sous la présidence du doyen, pour procéder aux constatations nécessaires. Ils feront connaître au Gouvernement Khédivial le danger qu'ils auraient reconnu afin que celui-ci prenne les mesures propres à assurer la protection et le libre usage du Canal. En tout état de cause, ils se réuniront une fois par an pour constater la bonne exécution du Traité.

Ces dernières réunions auront lieu sous la présidence d'un Commissaire Spécial nommé à cet effet par le Gouvernement Impérial Ottoman. Un Commissaire Khédivial pourra également prendre part à la réunion et la présider en cas d'absence du Commissaire Ottoman.

Ils réclameront notamment la suppression de tout ouvrage ou la dispersion de tout rassemblement qui, sur l'une ou l'autre

rive du Canal, pourrait avoir pour but ou pour effet de porter atteinte à la liberté et à l'entière sécurité de la navigation.

ARTICLE IX.

The Egyptian Government to take necessary Measures for insuring the Execution of the Treaty.

Le Gouvernement Égyptien prendra dans la limite de ses pouvoirs tels qu'ils résultent des Firmans et dans les conditions prévues par le présent Traité, les mesures nécessaires pour faire respecter l'exécution du dit Traité.

Dans le cas où le Gouvernement Égyptien ne disposerait pas de moyens suffisants, il devra faire appel au Gouvernement Impérial Ottoman, lequel prendra les mesures nécessaires pour répondre à cet appel, en donnera avis aux autres Puissances Signataires de la Déclaration de Londres du 17 Mars, 1885, et, au besoin, se concertera avec elles à ce sujet.

Les prescriptions des Articles IV, V, VII, et VIII ne feront pas obstacle aux mesures qui seront prises en vertu du présent Article.

ARTICLE X.

Defence of Canal and Maintenance of Order.

De même, les prescriptions des Articles IV, V, VII, et VIII ne feront pas obstacle aux mesures que Sa Majesté le Sultan et Son Altesse le Khédive, au nom de Sa Majesté Impériale, et dans les limites des Firmans concédés, seraient dans la nécessité de prendre pour assurer, par leurs propres forces, la défense de l'Égypte, et le maintien de l'ordre public.

Dans le cas où Sa Majesté Impériale le Sultan ou Son Altesse le Khédive se trouverait dans la nécessité de se prévaloir des exceptions prévues par le présent Article, les Puissances signataires de la Déclaration de Londres en seraient avisées par le Gouvernement Impérial Ottoman.

Il est également entendu que les prescriptions des quatre Articles dont il s'agit ne porteront en aucun cas obstacle aux mesures que le Gouvernement Impérial Ottoman croira nécessaire de prendre pour assurer par ses propres forces la défense de ses autres possessions situées sur la côte orientale de la Mer Rouge.

ARTICLE XI.

Measures contemplated in Articles IX and X not to interfere with free Use of Canal.

Les mesures qui seront prises dans les cas prévus par les Articles IX et X du présent Traité ne devront pas faire obstacle

au libre usage du Canal. Dans ces mêmes cas, l'érection de fortifications permanentes élevées contrairement aux dispositions de l'Article VIII demeure interdite.

ARTICLE XII.

No Power shall endeavour to obtain Territorial or Commercial Advantages with respect to the Canal.

Les Hautes Parties Contractantes conviennent, par application du principe d'égalité en ce qui concerne le libre usage du Canal, principe qui forme l'une des bases du présent Traité, qu'aucune d'elles ne recherchera d'avantages territoriaux ou commerciaux, ni de privilèges dans les arrangements internationaux qui pourront intervenir par rapport au Canal. Sont d'ailleurs réservés les droits de la Turquie comme Puissance territoriale.

ARTICLE XIII.

Sovereign Rights of Sultan and Rights and Immunities of Khedive are not affected by this Convention.

En dehors des obligations prévues expressément par les clauses du présent Traité, il n'est porté aucune atteinte aux droits souverains de Sa Majesté Impériale le Sultan et aux droits et immunités de Son Altesse le Khédive, tels qu'ils résultent des Firmans.

ARTICLE XIV.

Engagements resulting from this Treaty not limited to Duration of Acts of Concession of Suez Canal Company.

Les Hautes Parties Contractantes conviennent que les engagements résultant du présent Traité ne seront pas limités par la durée des Actes de Concession de la Compagnie Universelle du Canal de Suez.

ARTICLE XV.

Sanitary Measures in Force in Egypt not affected by this Convention.

Les stipulations du présent Traité ne feront pas obstacle aux mesures sanitaires en vigueur en Égypte.

ARTICLE XVI.

Signatory Powers shall invite other States to accede to this Convention.

Les Hautes Parties Contractantes s'engagent à porter le présent Traité à la connaissance des États qui ne l'ont pas signé, en les invitant à y accéder.

ARTICLE XVII.

Ratifications.

Le présent Traité sera ratifié et les ratifications en seront échangées à Constantinople dans un délai d'un mois, ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs l'ont signé et y ont apposé le sceau de leurs armes.

Fait à Constantinople, le 29^e jour du mois d'Octobre, de l'an 1888.

(L.S.)	W. A. WHITE.
(L.S.)	RADOWITZ.
(L.S.)	CALICE.
(L.S.)	MIGUEL FLOREZ Y GARCIA.
(L.S.)	G. DE MONTEBELLO.
(L.S.)	A. BLANC.
(L.S.)	GUS. KEUN.
(L.S.)	NÉLIDOW.
(L.S.)	M. SAÏD.

No. 76.

ARRANGEMENT BETWEEN GREAT BRITAIN, SPAIN, FRANCE,
SWITZERLAND, AND TUNIS FOR THE PREVENTION OF FALSE
INDICATIONS OF ORIGIN ON GOODS.

Signed at Madrid, April 14, 1891.

[*Ratifications exchanged at Madrid, June 15, 1892.*]

LES soussignés Plénipotentiaires des Gouvernements des
États ci-dessus énumérés ;

Vu l'Article XV de la Convention Internationale du 20 Mars, 1883, pour la Protection de la Propriété Industrielle,

Ont, d'un commun accord, et sous réserve de ratification, arrêté l'Arrangement suivant:—

ARTICLE I.

Seizure of Goods bearing a false indication of Origin.

Tout produit portant une fausse indication de provenance dans laquelle un des États Contractants ou un lieu situé dans l'un d'entre eux, serait, directement ou indirectement, indiqué comme pays ou comme lieu d'origine, sera saisi à l'importation dans chacun des dits États.

La saisie pourra aussi s'effectuer dans l'État où la fausse indication de provenance aura été apposée, ou dans celui où aura été introduit le produit muni de cette fausse indication.

Si la législation d'un État n'admet pas la saisie à l'importation, cette saisie sera remplacée par la prohibition d'importation.

Si la législation d'un État n'admet pas la saisie à l'intérieur, cette saisie sera remplacée par les actions et moyens que la loi de cet État assure en pareil cas aux nationaux.

ARTICLE II.

Seizure to be effected at request of Government Department or interested party.

La saisie aura lieu à la requête soit du Ministère Public, soit d'une partie intéressée, individu, ou Société, conformément à la législation intérieure de chaque État.

Les autorités ne seront pas tenues d'effectuer la saisie en cas de transit.

ARTICLE III.

Vendors may indicate their Names and Addresses on Goods.

Les présentes dispositions ne font pas obstacle à ce que le vendeur indique son nom ou son adresse sur les produits provenant d'un pays différent de celui de la vente, mais dans ce cas, l'adresse ou le nom doit être accompagné de l'indication précise et en caractères apparents du pays ou du lieu de fabrication ou de production.

ARTICLE IV.

Tribunals of each Country to decide what Appellations are not within Provisions of this Arrangement.

Les Tribunaux de chaque pays auront à décider quelles sont les appellations qui, à raison de leur caractère générique, échappent aux dispositions du présent Arrangement, les appellations régionales de provenance des produits vinicoles n'étant cependant pas comprises dans la réserve statuée par cet Article.

ARTICLE V.

States Parties to Industrial Property Union may accede to this Arrangement.

Les États de l'Union pour la Protection de la Propriété Industrielle qui n'ont pas pris part au présent Arrangement seront admis à y adhérer sur leur demande et dans la forme prescrite par l'Article XVI de la Convention du 20 Mars, 1883, pour la Protection de la Propriété Industrielle.

ARTICLE VI.

Ratifications.

Le présent Arrangement sera ratifié, et les ratifications en seront échangées à Madrid, dans le délai de six mois au plus tard.

Duration of Arrangement.

Il entrera en vigueur un mois à partir de l'échange des ratifications, et aura la même force et durée que la Convention du 20 Mars, 1883.

En foi de quoi, les Plénipotentiaires des États ci-dessus énumérés ont signé le présent Arrangement à Madrid, le 14 Avril, 1891.

Pour le Brésil*—

(Signé) LUIS F. D'ABREU.

Pour l'Espagne—

S. MORET.

MARQUÉS DE AGUILAR.

ENRIQUE CALLEJA.

LUIS MARIANO DE LARRA.

* Have not ratified.

Pour la France et la Tunisie—

P. CAMBON.

Pour la Grande-Bretagne—

FRANCIS CLARE FORD.

Pour le Guâtémala*—

J. CARRERA.

Pour le Portugal*—

COMTE DE CASAL RIBEIRO.

Pour la Suisse—

CH. E. LARDET.
MOREL.

No. 77.

ADDITIONAL ACT MODIFYING THE INDUSTRIAL PROPERTY
CONVENTION OF MARCH 20, 1883.†

Signed at Brussels, December 14, 1900.

SA Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes; Sa Majesté le Roi des Belges; le Président des États-Unis du Brésil; Sa Majesté le Roi de Danemark; le Président de la République Dominicaine; Sa Majesté le Roi d'Espagne et, en son nom, Sa Majesté la Reine-Régente du Royaume; le Président des États-Unis d'Amérique; le Président de la République Française; Sa Majesté le Roi d'Italie; Sa Majesté l'Empereur du Japon; Sa Majesté la Reine des Pays-Bas; Sa Majesté le Roi de Portugal et des Algarves; Sa Majesté le Roi de Serbie; Sa Majesté le Roi de Suède et de Norvège; le Conseil Fédéral de la Confédération Suisse; le Gouvernement Tunisien, ayant jugé utile d'apporter certaines modifications et additions à la Convention Internationale du 20 Mars, 1883, ainsi qu'au Protocole de clôture annexé à la dite Convention, ont nommé pour leurs Plénipotentiaires, savoir:

Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes, le Très Honorable C. B. Stuart Wortley, M.P.; Sir Henry Bergne, K.C.M.G., Chef du

* Have not ratified.

† The Commonwealth of Australia acceded to this Additional Act on August 5, 1907.

Département Commercial au Foreign Office ; M. C. N. Dalton, C. B., Comptroller-General of Patents ;

Sa Majesté le Roi des Belges, M. A. Nyssens, Ancien Ministre de l'Industrie et du Travail ; M. L. Capelle, Envoyé Extraordinaire et Ministre Plénipotentiaire, Directeur-Général du Commerce et des Consulats au Ministère des Affaires Étrangères ; M. Georges de Ro, Avocat à la Cour d'Appel de Bruxelles, Ancien Secrétaire de l'Ordre ; M. J. Dubois, Directeur-Général au Ministère de l'Industrie et du Travail ;

Le Président des États-Unis du Brésil, M. da Cunha, Envoyé Extraordinaire et Ministre Plénipotentiaire des États-Unis du Brésil près Sa Majesté le Roi des Belges ;

Sa Majesté le Roi de Danemark, M. H. Holten-Nielsen, Membre de la Commission des Brevets, Enregistreur des Marques de Fabrique ;

Le Président de la République Dominicaine, M. J.-W. Hunter, Consul-Général de la République Dominicaine à Anvers ;

Sa Majesté le Roi d'Espagne et, en son nom, Sa Majesté la Reine-Régente du Royaume, M. de Villa Urrutia, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ;

Le Président des États-Unis d'Amérique, M. Lawrence Townsend, Envoyé Extraordinaire et Ministre Plénipotentiaire des États-Unis d'Amérique près Sa Majesté le Roi des Belges ; M. Francis Forbes ; M. Walter H. Chamberlin, Assistant Commissioner of Patents ;

Le Président de la République Française, M. Gérard, Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ; M. C. Nicolas, Ancien Conseiller d'État, Directeur honoraire au Ministère du Commerce, de l'Industrie, des Postes, et des Télégraphes ; M. Michel Pelletier, Avocat à la Cour d'Appel de Paris ;

Sa Majesté le Roi d'Italie, M. Romeo Cantagalli, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ; M. le Commandeur Carlo-Francesco Gabba, Sénateur Professeur à l'Université de Pise ; M. le Chevalier Samuele Ottolenghi, Chef de Division au Ministère de l'Agriculture, de l'Industrie et du Commerce, Directeur du Bureau de la Propriété Industrielle ;

Sa Majesté l'Empereur du Japon, M. Itchiro Motoro, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ;

Sa Majesté la Reine des Pays-Bas, M. F.-W.-J.-G. Snyder van Wissenkerke, Docteur en Droit, Conseiller au Ministère de la Justice, Directeur du Bureau de la Propriété Industrielle ;

Sa Majesté le Roi de Portugal et des Algarves, M. le Conseiller E. Madeira Pinto, Directeur-Général au Ministère des Travaux Publics, du Commerce et de l'Industrie ;

Sa Majesté le Roi de Serbie, M. le Docteur Michel Vouitch, son Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris ;

Sa Majesté le Roi de Suède et de Norvège, M. le Comte

Wrangel, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ;

Le Conseil Fédéral de la Confédération Suisse, M. J. Borel, Consul-Général de la Confédération Suisse à Bruxelles ; M. le Docteur Louis-Rodolphe de Salis, Professeur à Berne ;

Le Président de la République Française, pour la Tunisie, M. Gérard, Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ; M. Bladé, Consul de première classe au Ministère des Affaires Étrangères de France.

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

ARTICLE I.

Modifications of Convention of March 20, 1883.

La Convention Internationale du 20 Mars, 1883, est modifiée ainsi qu'il suit :—

1. L'Article III de la Convention aura la teneur suivante :—

“Art. III. Sont assimilés aux sujets ou citoyens des États Contractants, les sujets ou citoyens des États ne faisant pas partie de l'Union, qui sont domiciliés ou ont des établissements industriels ou commerciaux effectifs et sérieux sur le territoire de l'un des États de l'Union.”

2. L'Article IV aura la teneur suivante :—

“Art. IV. Celui qui aura régulièrement fait le dépôt d'une demande de brevet d'invention, d'un dessin ou modèle industriel, d'une marque de fabrique ou de commerce, dans l'un des États Contractants, jouira, pour effectuer le dépôt dans les autres États, et sous réserve des droits des tiers, d'un droit de priorité pendant les délais déterminées ci-après.

“En conséquence, le dépôt ultérieurement opéré dans l'un des autres États de l'Union, avant l'expiration de ces délais, ne pourra être invalidé par des faits accomplis dans l'intervalle, soit, notamment, par un autre dépôt, par la publication de l'invention ou son exploitation, par la mise en vente d'exemplaires du dessin ou du modèle, par l'emploi de la marque.

“Les délais de priorité mentionnés ci-dessus seront de douze mois pour les brevets d'invention, et de quatre mois pour les dessins ou modèles industriels, ainsi que pour les marques de fabrique ou de commerce.”

3. Il est inséré dans la Convention un Article IV *bis* ainsi conçu :—

“Art. IV *bis*. Les brevets demandés dans les différents États Contractants par des personnes admises au bénéfice de la Con-

vention aux termes des Articles II et III, seront indépendants des brevets obtenus pour la même invention dans les autres États adhérents ou non à l'Union.

“Cette disposition s'appliquera aux brevets existants au moment de sa mise en vigueur.

“Il en sera de même, en cas d'accession de nouveaux États, pour les brevets existant de part et d'autre au moment de l'accession.”

4. Il est ajouté à l'Article IX deux alinéas ainsi conçus :—

“Dans les États dont la législation n'admet pas la saisie à l'importation, cette saisie pourra être remplacée par la prohibition d'importation.

“Les autorités ne seront pas tenues d'effectuer la saisie en cas de transit.”

5. L'Article X aura la teneur suivante :—

“Art. X. Les dispositions de l'Article précédent seront applicables à tout produit portant faussement, comme indication de provenance, le nom d'une localité déterminée, lorsque cette indication sera jointe à un nom commercial fictif ou emprunté dans une intention frauduleuse.

“Est réputé partie intéressée tout producteur, fabricant ou commerçant engagé dans la production, la fabrication ou le commerce de ce produit, et établi soit dans la localité faussement indiquée comme lieu de provenance, soit dans la région où cette localité est située.”

6. Il est inséré dans la Convention un Article X *bis* ainsi conçu :—

“Art. X *bis*. Les ressortissants de la Convention (Articles II et III) jouiront, dans tous les États de l'Union, de la protection accordée aux nationaux contre la concurrence déloyale.”

7. L'Article XI aura la teneur suivante :—

“Art. XI. Les Hautes Parties Contractantes accorderont, conformément à la législation de chaque pays, une protection temporaire aux inventions brevetables, aux dessins ou modèles industriels, ainsi qu'aux marques de fabrique ou de commerce, pour les produits qui figureront aux Expositions internationales officielles ou officiellement reconnues, organisées sur le territoire de l'une d'elles.”

8. L'Article XIV aura la teneur suivante :—

“Art. XIV. La présente Convention sera soumise à des revisions périodiques en vue d'y introduire les améliorations de nature à perfectionner le système de l'Union,

“A cet effet, des Conférences auront lieu successivement, dans l'un des États Contractants, entre les Délégués des dits États.”

9. L'Article XVI aura la teneur suivante :—

“Art. XVI. Les États qui n'ont point pris part à la présente Convention seront admis à y adhérer sur leur demande.

“Cette adhésion sera notifiée par la voie diplomatique au Gouvernement de la Confédération Suisse, et par celui-ci à tous les autres.

“Elle emportera, de plein droit, accession à toutes les clauses et admission à tous les avantages stipulés par la présente Convention, et produira ses effets un mois après l'envoi de la notification faite par le Gouvernement Suisse aux autres États unionistes, à moins qu'une date postérieure n'ait été indiquée par l'État adhérent.”

ARTICLE II.

Addition to Final Protocol annexed to Convention of March 20, 1883.

Le Protocole de clôture annexé à la Convention Internationale du 20 Mars, 1883, est complété par l'addition d'un numéro 3 *bis*, ainsi conçu :—

“3 *bis*. Le breveté, dans chaque pays, ne pourra être frappé de déchéance pour cause de non-exploitation qu'après un délai minimum de trois ans, à dater du dépôt de la demande dans le pays dont il s'agit, et dans le cas où le breveté ne justifierait pas des causes de son inaction.”

ARTICLE III.

Duration of Additional Act.

Le présent Acte additionnel aura même valeur et durée que la Convention du 20 Mars, 1883.

Ratifications.

Il sera ratifié, et les ratifications en seront déposées à Bruxelles, au Ministère des Affaires Étrangères, aussitôt que faire se pourra, et au plus tard dans le délai de dix-huit mois à dater du jour de la signature.

Il entrera en vigueur trois mois après la clôture du *procès-verbal* de dépôt.

En foi de quoi les Plénipotentiaires respectifs ont signé le présent Acte additionnel,

Fait à Bruxelles, en un seul exemplaire, le 14 Décembre, 1900.

Pour la Grande-Bretagne :

(Signé) CHARLES B. STUART WORTLEY,
H. G. BERGNE.
C. N. DALTON.

Pour la Belgique :

(Signé) A. NYSSENS.
CAPELLE.
GEORGES DE RO.
J. DUBOIS.

Pour le Brésil :

(Signé) F. XAVIER DA CUNHA.

Pour le Danemark :

(Signé) H. HOLTEN NIELSEN.

Pour la République Dominicaine :

(Signé) JOHN W. HUNTER.

Pour l'Espagne :

(Signé) W. R. DE VILLA URRUTIA.

Pour les États-Unis d'Amérique :

(Signé) LAWRENCE TOWNSEND.
FRANCIS FORBES.
WALTER H. CHAMBERLIN.

Pour la France :

(Signé) A. GÉRARD.
C. NICOLAS.
MICHEL PELLETIER.

Pour l'Italie :

(Signé) R. CANTAGALLI.
C. F. GABBA.
S. OTTOLENGHI.

Pour le Japon :

(Signé) I. MOTONO.

Pour la Norvège :

(Signé) COMTE WRANGEL.

Pour les Pays-Bas :

(Signé) SNYDER VAN WISSENKERKE.

Pour le Portugal :

(Signé) ERNESTO MADEIRA PINTO.

Pour la Serbie :

(Signé) DR. MICHEL VOÛTCH.

Pour la Suède :

(Signé) COMTE WRANGEL.

Pour la Suisse :

(Signé) JULES BOREL.
L. R. DE SALIS.

Pour la Tunisie :

(Signé) A. GÉRARD.
ÉTIENNE BLADE.

Procès-Verbal.

LES Parties Contractantes ayant unanimement accepté que l'échange des ratifications sur l'Acte Additionnel à la Convention du 20 Mars, 1883, signé à Bruxelles le 14 Décembre, 1900, se ferait moyennant le dépôt des instruments respectifs aux archives du Ministère des Affaires Étrangères de Belgique, le présent procès-verbal de dépôt a été, à cet effet, ouvert au Ministère des Affaires Étrangères ce jourd'hui, 3 Mai, 1901.

(Signé) LAWRENCE TOWNSEND. Ce même jour a été effectué le dépôt des ratifications du Président des États-Unis d'Amérique.

Ont été successivement présentées au dépôt :

(Signé) JULES BOREL. Le 5 Août, 1901, les ratifications du Conseil Fédéral Suisse ;

(Signé) F. G. SCHACK DE BROCKDORFF. Le 10 Octobre, 1901, les ratifications de Sa Majesté le Roi de Danemark ;

(Signé)
CTE. DE TOVAR.

Le 5 Novembre, 1901, les ratifications de Sa Majesté le Roi de Portugal et des Algarves;

(Signé)
CONSTANTINE PHIPPS.

Le 6 Décembre, 1901, les ratifications de Sa Majesté le Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande et des Possessions Britanniques au delà des Mers, Empereur des Indes;

(Signé)
P. DE FAVEREAU.

Le 10 Décembre, 1901, les ratifications de Sa Majesté le Roi des Belges;

(Signé)
R. CANTAGALLI.

Le 12 Décembre, 1901, les ratifications de Sa Majesté la Roi d'Italie;

(Signé)
S. MATSUGATA.

Le 21 Avril, 1902, les ratifications de Sa Majesté l'Empereur du Japon;

(Signé)
A GÉRARD.

Le 23 Mai, 1902, les ratifications du Président de la République Française et du Gouvernement Tunisien;

(Signé)
CTE. WRANGEL.

Le 5 Juin, 1902, les ratifications de Sa Majesté le Roi de Suède et de Norvège, pour la Suède;

(Signé)
CTE. WRANGEL.

Le même jour, les ratifications de Sa Majesté le Roi de Suède et de Norvège, pour la Norvège;

(Signé)
R. DE PESTEL.

Le 10 Juin, 1902, les ratifications de Sa Majesté la Reine des Pays-Bas.

Conformément à l'Article 3 de l'Acte Additionnel du 14 Décembre, 1900, le présent procès-verbal a été clos à la date de ce jour.

Le Ministre des Affaires Étrangères
de Belgique,

(Signé) P. DE FAVEREAU.

Bruxelles, le 14 Juin, 1902.

Le dépôt des ratifications du Président des États-Unis du Brésil, du Président de la République Dominicaine, de Sa Majesté le Roi d'Espagne, et de Sa Majesté le Roi de Serbie n'ayant pu être effectué dans le délai fixé, les Gouvernements de la Belgique, du Danemark, des États-Unis d'Amérique, de la France, de la Grande-Bretagne, de l'Italie, du Japon, de la Norvège, des Pays-Bas, du Portugal, de la Suède, de la Suisse, et de la Tunisie se sont trouvés unanimement d'accord pour appliquer, à partir du 14 Septembre, 1902, l'Acte Additionnel du 14 Décembre, 1900, entre eux, ainsi que vis-à-vis de ceux des quatre autres États signataires dont les ratifications seraient déposées dans l'intervalle.

Pour copie conforme :

Le Secrétaire-Général
du Ministère des Affaires Étrangères de
Belgique,

(Signé) BARON LAMBERMONT.

No. 78.

INTERNATIONAL CONVENTION RELATIVE TO BOUNTIES
ON SUGAR.

Signed at Brussels, March 5, 1902.

[*Ratifications deposited at Brussels, June 18, 1902—
February 1, 1903.*]

SA Majesté le Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande et des possessions Britanniques au delà des Mers, Empereur des Indes; Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire Allemand; Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., et Roi Apostolique de Hongrie; Sa Majesté le Roi des Belges; Sa Majesté le Roi d'Espagne et, en son nom, Sa Majesté la Reine-Régente du Royaume; le Président de la République Française; Sa Majesté le Roi d'Italie; Sa Majesté la Reine des Pays-Bas; Sa Majesté le Roi de Suède et de Norvège;

Désirant, d'une part, égaliser les conditions de la concurrence entre les sucres de betterave et les sucres de canne des différentes provenances et, d'autre part, aider au développement de la consommation du sucre;

Considérant que ce double résultat ne peut être atteint que par la suppression des primes et par la limitation de la surtaxe;

Ont résolu de conclure une Convention à cet effet, et ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté le Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande et des possessions Britanniques au delà des Mers, Empereur des Indes, Mr. Constantine Phipps, C.B., son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ; Sir Henry Primrose, K.C.B., C.S.I. ; Sir Henry Bergne, K.C.M.G. ; Mr. A. A. Pearson ; Mr. E. C. Ozanne ;

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire Allemand, M. le Comte de Wallwitz, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ; M. de Koerner, Directeur au Département Impérial des Affaires Étrangères ; M. Kühn, Conseiller Intime Supérieur de Gouvernement, Conseiller Rapporteur à l'Office Impérial du Trésor ;

Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., et Roi Apostolique de Hongrie : pour l'Autriche-Hongrie, M. le Comte Khevenhüller Metsch, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ; pour l'Autriche, M. le Baron Jorkasch-Koch, Chef de Section au Ministère Impérial et Royal des Finances ; pour la Hongrie, M. de Toepke, Sous-Secrétaire d'État au Ministère Royal Hongrois des Finances ;

Sa Majesté le Roi des Belges, M. le Comte de Smet de Naeyer, Ministre des Finances et des Travaux Publics, Chef du Cabinet ; M. Capelle, Envoyé Extraordinaire et Ministre Plénipotentiaire, Directeur-Général du Commerce et des Consulats au Ministère des Affaires Étrangères ; M. Kebers, Directeur-Général des Douanes et Accises au Ministère des Finances et des Travaux Publics ; M. de Smet, Inspecteur-Général à l'Administration des Contributions Directes, Douanes et Accises au Ministère des Finances et des Travaux Publics ; M. Beauduin, Membre de la Chambre des Représentants, Industriel ;

Sa Majesté le Roi d'Espagne et, en son nom, Sa Majesté la Reine-Régente du Royaume, M. de Villa Urrutia, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ;

Le Président de la République Française, M. Gérard, Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ; M. Bousquet, Ancien Conseiller d'État, Directeur-Général des Douanes, Honoraire ; M. Delatour, Conseiller d'État, Directeur-Général de la Caisse des Dépôts et Consignations ; M. Courtin, Conseiller d'État, Directeur-Général des Contributions Indirectes au Ministère des Finances ;

Sa Majesté le Roi d'Italie, M. le Commandeur Romeo Cantagalli, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ; M. le Commandeur Émile Maraini, Député au Parlement Italien, Industriel ;

Sa Majesté la Reine des Pays-Bas, M. le Jonkheer de Pestel,

son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ; M. le Baron J. d'Aulnis de Bourouill, Docteur en Droit, Professeur à l'Université d'Utrecht ; M. G. Eschauzier, Industriel à La Haye ; M. A. Van Rossum, Industriel à Haarlem ;

Sa Majesté le Roi de Suède et de Norvège : pour la Suède, M. le Comte Wrangel, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ; M. Charles Tranchell, Industriel ;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

ARTICLE I.

Les Hautes Parties Contractantes s'engagent à supprimer, à dater de la mise en vigueur de la présente Convention, les primes directes et indirectes dont bénéficieraient la production ou l'exportation des sucres, et à ne pas établir de primes de l'espèce pendant toute la durée de la dite Convention. Pour l'application de cette disposition, sont assimilés au sucre les produits sucrés tels que confitures, chocolats, biscuits, lait condensé, et tous autres produits analogues contenant en proportion notable du sucre incorporé artificiellement.

Tombent sous l'application de l'alinéa précédent, tous les avantages résultant directement ou indirectement, pour les diverses catégories de producteurs, de la législation fiscale des États, notamment :

- (a.) Les bonifications directes accordées en cas d'exportation ;
- (b.) Les bonifications directes accordées à la production ;
- (c.) Les exemptions d'impôt, totales ou partielles, dont bénéficie une partie des produits de la fabrication ;
- (d.) Les bénéfices résultant d'excédents de rendement ;
- (e.) Les bénéfices résultant de l'exagération du drawback ;
- (f.) Les avantages résultant de toute surtaxe d'un taux supérieur à celui fixé par l'Article III.

ARTICLE II.

Les Hautes Parties Contractantes s'engagent à soumettre au régime d'entrepôt, sous la surveillance permanente de jour et de nuit des employés du fisc, les fabriques et les raffineries de sucre, ainsi que les usines dans lesquelles le sucre est extrait des mélasses.

A cette fin, les usines seront aménagées de manière à donner toute garantie contre l'enlèvement clandestin des sucres, et les employés auront la faculté de pénétrer dans toutes les parties des usines.

Des livres de contrôle seront tenus concernant une ou plusieurs phases de la fabrication, et les sucres achevés seront déposés dans des magasins spéciaux offrant toutes les garanties désirables de sécurité.

ARTICLE III.

Les Hautes Parties Contractantes s'engagent à limiter au chiffre maximum de 6 fr. par 100 kilog. pour le sucre raffiné et les sucres assimilables au raffiné, et de 5 fr. 50 pour les autres sucres, la surtaxe, c'est-à-dire, l'écart entre le taux des droits ou taxes dont sont passibles les sucres étrangers et celui des droits ou taxes auxquels sont soumis les sucres nationaux.

Cette disposition ne vise pas le taux des droits d'entrée dans les pays qui ne produisent pas de sucre; elle n'est pas non plus applicable aux sous-produits de la fabrication et du raffinage du sucre.

ARTICLE IV.

Les Hautes Parties Contractantes s'engagent à frapper d'un droit spécial, à l'importation sur leur territoire, les sucres originaires de pays qui accorderaient des primes à la production ou à l'exportation.

Ce droit ne pourra être inférieur au montant des primes, directes ou indirectes, accordées dans le pays d'origine. Les Hautes Parties se réservent la faculté, chacune en ce qui la concerne, de prohiber l'importation des sucres primés.

Pour l'évaluation du montant des avantages résultant éventuellement de la surtaxe spécifiée au *littera* (f) de l'Article I, le chiffre fixé par l'Article III est déduit du montant de cette surtaxe: la moitié de la différence est réputée représenter la prime, la Commission Permanente instituée par l'Article VII ayant le droit, à la demande d'un État Contractant, de reviser le chiffre ainsi établi.

ARTICLE V.

Les Hautes Parties Contractantes s'engagent réciproquement à admettre au taux le plus réduit de leur tarif d'importation, les sucres originaires soit des États Contractants, soit de celles des Colonies ou possessions des dits États qui n'accordent pas de primes et auxquelles s'appliquent les obligations de l'Article VIII.

Les sucres de canne et les sucres de betterave ne pourront être frappés de droits différents.

ARTICLE VI.

L'Espagne, l'Italie, et la Suède seront dispensées des engagements faisant l'objet des Articles I, II, et III, aussi longtemps qu'elles n'exporteront pas de sucre.

Ces États s'engagent à adapter leur législation sur le régime des sucres aux dispositions de la Convention, dans le délai d'une année—ou plus tôt si faire se peut—à partir du moment où la Commission Permanente aura constaté que la condition indiquée ci-dessus a cessé d'exister.

ARTICLE VII.

Les Hautes Parties Contractantes conviennent de créer une Commission Permanente, chargée de surveiller l'exécution des dispositions de la présente Convention.

Cette Commission sera composée de Délégués des divers États Contractants et il lui sera adjoint un Bureau Permanent. La Commission choisit son Président; elle siégera à Bruxelles et se réunira sur la convocation du Président.

Les Délégués auront pour mission :—

(a.) De constater si, dans les États Contractants, il n'est accordé aucune prime directe ou indirecte à la production ou à l'exportation des sucres;

(b.) De constater si les États visés à l'Article VI continuent à se conformer à la condition spéciale prévue au dit Article;

(c.) De constater l'existence des primes dans les États non-Signataires et d'en évaluer le montant en vue de l'application de l'Article IV;

(d.) D'émettre un avis sur les questions litigieuses;

(e.) D'instruire les demandes d'admission à l'Union des États qui n'ont point pris part à la présente Convention.

Le Bureau Permanent sera chargé de rassembler, de traduire, de coordonner et de publier les renseignements de toute nature qui se rapportent à la législation et à la statistique des sucres, non seulement dans les États Contractants, mais également dans les autres États.

Pour assurer l'exécution des dispositions qui précèdent, les Hautes Parties Contractantes communiqueront par la voie diplomatique au Gouvernement Belge, qui les fera parvenir à la Commission, les Lois, Arrêtés, et Règlements sur l'imposition des sucres qui sont ou seront en vigueur dans leurs pays respectifs, ainsi que les renseignements statistiques relatifs à l'objet de la présente Convention.

Chacune des Hautes Parties Contractantes pourra être représentée à la Commission par un Délégué ou par un Délégué et des Délégués-Adjoints.

L'Autriche et la Hongrie seront considérées séparément comme Parties Contractantes.

La première réunion de la Commission aura lieu à Bruxelles, à la diligence du Gouvernement Belge, trois mois au moins avant la mise en vigueur de la présente Convention.

La Commission n'aura qu'une mission de constatation et d'examen. Elle fera, sur toutes les questions qui lui seront

soumises, un Rapport qu'elle adressera au Gouvernement Belge, lequel le communiquera aux États intéressés et provoquera, si la demande en est faite par une des Hautes Parties Contractantes, la réunion d'une Conférence qui arrêtera les résolutions ou les mesures nécessitées par les circonstances.

Toutefois les constatations et évaluations visées aux *litteras* (b) et (c) auront un caractère exécutoire pour les États Contractants; elles seront arrêtées par un vote de majorité, chaque État Contractant disposant d'une voix, et elles sortiront leurs effets au plus tard à l'expiration du délai de deux mois. Au cas où l'un des États Contractants croirait devoir faire appel d'une décision de la Commission, il devra, dans la huitaine de la notification qui lui sera faite de la dite décision, provoquer une nouvelle délibération de la Commission; celle-ci se réunira d'urgence et statuera définitivement dans le délai d'un mois à dater de l'appel. La nouvelle décision sera exécutoire, au plus tard, dans les deux mois de sa date. La même procédure sera suivie en ce qui concerne l'instruction des demandes d'admission prévue au *littera* (e).

Les frais résultant de l'organisation et du fonctionnement du Bureau Permanent et de la Commission—sauf le traitement ou les indemnités des Délégués, qui seront payés par leurs pays respectifs—seront supportés par tous les États Contractants et répartis entre eux d'après un mode à régler par la Commission.

ARTICLE VIII.

Les Hautes Parties Contractantes s'engagent, pour elles et pour leurs Colonies ou possessions, exception faite des Colonies autonomes de la Grande-Bretagne et des Indes Orientales Britanniques, à prendre les mesures nécessaires pour empêcher que les sucres primés qui auront traversé en transit le territoire d'un État Contractant ne jouissent des avantages de la Convention sur le marché destinataire. La Commission Permanente fera à cet égard les propositions nécessaires.

ARTICLE IX.

Les États qui n'ont point pris part à la présente Convention seront admis à y adhérer sur leur demande et après avis conforme de la Commission Permanente.

La demande sera adressée par la voie diplomatique au Gouvernement Belge, qui se chargera, le cas échéant, de notifier l'adhésion à tous les autres Gouvernements. L'adhésion emportera, de plein droit, accession à toutes les charges et admissions à tous les avantages stipulés par la présente Convention, et elle produira ses effets à partir du 1^{er} Septembre qui suivra l'envoi de la notification faite par le Gouvernement Belge aux autres États Contractants.

ARTICLE X.

La présente Convention sera mise à exécution à partir du 1^{er} Septembre, 1903.

Elle restera en vigueur pendant cinq années à partir de cette date, et dans le cas où aucune des Hautes Parties Contractantes n'aurait notifié au Gouvernement Belge, douze mois avant l'expiration de la dite période de cinq années, son intention d'en faire cesser les effets, elle continuera à rester en vigueur pendant une année et, ainsi de suite, d'année en année.

Dans le cas où l'un des États Contractants dénoncerait la Convention, cette dénonciation n'aurait d'effet qu'à son égard ; les autres États conserveraient, jusqu'au 31 Octobre de l'année de la dénonciation, la faculté de notifier l'intention de se retirer également à partir du 1^{er} Septembre de l'année suivante. Si l'un de ces derniers États entendait user de cette faculté, le Gouvernement Belge provoquerait la réunion à Bruxelles, dans les trois mois d'une Conférence qui aviserait aux mesures à prendre.

ARTICLE XI.

Les dispositions de la présente Convention seront appliquées aux provinces d'outre-mer, Colonies et possessions étrangères des Hautes Parties Contractantes. Sont exceptées toutefois les Colonies et possessions Britanniques et Néerlandaises, sauf en ce qui concerne les dispositions faisant l'objet des Articles V et VIII.

La situation des Colonies et possessions Britanniques et Néerlandaises est, pour le surplus, déterminée par les déclarations insérées au Protocole de Clôture.

ARTICLE XII.

L'exécution des engagements réciproques contenus dans la présente Convention est subordonnée, en tant que de besoin, à l'accomplissement des formalités et règles établies par les Lois Constitutionnelles de chacun des États Contractants.

La présente Convention sera ratifiée, et les ratifications en seront déposées à Bruxelles, au Ministère des Affaires Étrangères, le 1^{er} Février, 1903, ou plus tôt si faire se peut.

Il est entendu que la présente Convention ne deviendra obligatoire de plein droit que si elle est ratifiée au moins par ceux des États Contractants qui ne sont pas visés par la disposition exceptionnelle de l'Article VI. Dans le cas où un ou plusieurs des dits États n'auraient pas déposé leurs ratifications dans le délai prévu, le Gouvernement Belge provoquera immédiatement une décision des autres États Signataires quant à la mise en vigueur, entre eux seulement, de la présente Convention.

En foi de quoi les Plénipotentiaires respectifs ont signé la présente Convention.

Fait à Bruxelles, en un seul exemplaire, le 5 Mars, 1902.

Pour la Grande-Bretagne :

(Signé) CONSTANTINE PHIPPS.
H. W. PRIMROSE.
H. G. BERGNE.
ARTHUR A. PEARSON.
E. C. OZANNE.

Pour l'Allemagne :

(Signé) GRAF VON WALLWITZ.
VON KOERNER.
KÜHN.

Pour l'Autriche-Hongrie :

(Signé) COMTE DE KHEVENHÜLLER.

Pour l'Autriche :

(Signé) JORKASCH-KOCH.

Pour la Hongrie :

(Signé) TOEPKE ALFRÉD.

Pour la Belgique :

(Signé) COMTE DE SMET DE NAEYER.
CAPELLE.
KEBERS.
D. DE SMET.
BEAUDUIN.

Pour l'Espagne :

(Signé) W. R. DE VILLA URRUTIA.

Pour la France :

(Signé) A. GÉRARD.
BOUSQUET.
A. DELATOUR.
COURTIN.

Pour l'Italie :

(Signé) R. CANTAGALLI.
EMILIO MARAINI.

Pour les Pays-Bas :

(Signé) R. DE PESTEL.
J. D'AULNIS DE BOUROUILL.
G. ESCHAUZIER.
A. VAN ROSSUM.

Pour la Suède :

(Signé) COMTE WRANGEL.
C. TRANCHELL.

PROTOCOLE DE CLÔTURE.

Au moment de procéder à la signature de la Convention relative au régime des sucres conclue, à la date de ce jour, entre les Gouvernements de l'Allemagne, de l'Autriche et de la Hongrie, de la Belgique, de l'Espagne, de la France, de la Grande-Bretagne, de l'Italie, des Pays-Bas, et de la Suède, les Plénipotentiaires soussignés sont convenus de ce qui suit :—

A l'Article III.

Considérant que le but de la surtaxe est de protéger efficacement le marché intérieur des pays producteurs, les Hautes Parties Contractantes se réservent la faculté, chacune en ce qui la concerne, de proposer un relèvement de la surtaxe dans le cas où des quantités considérables de sucres originaires d'un État Contractant pénétreraient chez elles ; ce relèvement ne frapperait que les sucres originaires de cet État.

La proposition devra être adressée à la Commission Permanente, laquelle statuera à bref délai, par un vote de majorité, sur le bien-fondé de la mesure proposée, sur la durée de son application et sur le taux du relèvement ; celui-ci ne dépassera pas 1 fr. par 100 kilog.

L'adhésion de la Commission ne pourra être donnée que dans le cas où l'envahissement du marché considéré serait la conséquence d'une réelle infériorité économique, et non le résultat d'une élévation factice des prix provoquée par une entente entre producteurs.

A l'Article XI.

(A.)—1. Le Gouvernement de la Grande-Bretagne déclare qu'aucune prime directe ou indirecte ne sera accordée aux sucres des Colonies de la Couronne pendant la durée de la Convention.

2. Il déclare aussi, par mesure exceptionnelle et tout en réservant, en principe, son entière liberté d'action en ce qui concerne les relations fiscales entre le Royaume-Uni et ses Colonies et possessions, que, pendant la durée de la Convention, aucune préférence ne sera accordée dans le Royaume-Uni aux sucres coloniaux vis-à-vis des sucres originaires des États Contractants.

3. Il déclare enfin que la Convention sera soumise par ses soins aux Colonies autonomes et aux Indes Orientales pour qu'elles aient la faculté d'y donner leur adhésion.

Il est entendu que le Gouvernement de Sa Majesté Britannique a la faculté d'adhérer à la Convention au nom des Colonies de la Couronne.

(B.) Le Gouvernement des Pays-Bas déclare que, pendant la durée de la Convention, aucune prime directe ou indirecte ne sera accordée aux sucres des Colonies Néerlandaises et que ces sucres ne seront pas admis dans les Pays-Bas à un tarif moindre que celui appliqué aux sucres originaires des États Contractants.

Le présent Protocole de Clôture, qui sera ratifié en même temps que la Convention conclue à la date de ce jour, sera considéré comme faisant partie intégrante de cette Convention et aura même force, valeur, et durée.

En foi de quoi les Plénipotentiaires soussignés ont dressé le présent Protocole.

Fait à Bruxelles, le 5 Mars, 1902.

Pour la Grande-Bretagne :

(Signé)

CONSTANTINE PHIPPS.

H. W. PRIMROSE.

H. G. BERGNE.

ARTHUR A. PEARSON.

E. C. OZANNE.

Pour l'Allemagne :

(Signé)

GRAF VON WALLWITZ.

VON KOERNER.

KÜHN.

Pour l'Autriche-Hongrie :

(Signé)

COMTE DE KHEVENHÜLLER.

Pour l'Autriche :

(Signé)

JORKASCH-KOCH.

Pour la Hongrie :

(Signé)

TOEPKE ALFRED.

Pour la Belgique :

(Signé)

COMTE DE SMET DE NAEYER.
CAPELLE.
KEBERS.
D. DE SMET.
BEAUDUIN.

Pour l'Espagne :

(Signé)

W. R. DE VILLA URRUTIA.

Pour la France :

(Signé)

A. GÉRARD.
BOUSQUET.
A. DELATOUR.
COURTIN.

Pour l'Italie :

(Signé)

R. CANTAGALLI.
EMILIO MARAINI.

Pour les Pays-Bas :

(Signé)

R. DE PESTEL.
J. D'AULNIS DE BOUROUILL.
G. ESCHAUZIER.
A. VAN ROSSUM.

Pour la Suède :

(Signé)

COMTE WRANGEL.
C. TRANCHELL.

PROCÈS-VERBAL OF DEPOSIT OF RATIFICATIONS.

Les Parties Contractantes ayant unanimement accepté que l'échange des ratifications sur la Convention relative au régime des sucres, signée à Bruxelles le 5 Mars, 1902, se ferait moyennant le dépôt des instruments respectifs aux archives du Ministère des Affaires Étrangères de Belgique, le présent procès-verbal de dépôt a été, à cet effet, ouvert au Ministère des Affaires Étrangères ce jourd'hui, le 18 Juin, 1902.

(Signé)

P. DE FAVEREAU.

Ce même jour a été effectué le dépôt des ratifications de Sa Majesté le Roi des Belges.

Ont été successivement présentées au dépôt :

(Signé)
BÜLOW.

Le 15 Janvier, 1903, les ratifications de Sa Majesté l'Empereur d'Allemagne, Roi de Prusse.

(Signé)
A. GÉRARD.

Le 29 Janvier, 1903, les ratifications du Président de la République Française.

(Signé)
R. DE PESTEL.

Le 30 Janvier, 1903, les ratifications de Sa Majesté la Reine des Pays-Bas.

(Signé)
CONSTANTINE PHIPPS.

Le 31 Janvier, 1903, les ratifications de Sa Majesté le Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande et des Possessions Britanniques au delà des Mers, Empereur des Indes, dans les conditions indiquées à la note ci-annexée.

(Signé)
T. B. KOZIEBRODZKI.

Le 31 Janvier, 1903, les ratifications de Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., &c., et Roi Apostolique de Hongrie.

(Signé)
R. CANTAGALLI.

Le 1^{er} Février, 1903, les ratifications de Sa Majesté le Roi d'Italie.

Conformément à l'Article XII de la Convention du 5 Mars, 1902, le présent procès-verbal a été clos à la date de ce jour.*

Le Ministre des Affaires Étrangères
de Belgique,

(Signé) P. DE FAVEREAU.

Bruxelles, le 1^{er} Février, 1903.

Au moment de déposer les ratifications de Sa Majesté Britannique, son Excellence le Ministre de la Grande-Bretagne déclare qu'il est indispensable de constater que le Gouvernement de Sa Majesté Britannique ne consentira dans aucun cas à être obligé de pénaliser les sucres primés qui pourraient être importés dans le Royaume-Uni et qui proviendraient de l'une ou de l'autre des Colonies Britanniques autonomes.

Il déclare, en outre, qu'il ne pourrait consentir à ce qu'aucune question se rattachant à cet objet soit soumise à la Commission

* Sweden and Norway ratified this Convention on the 13th May, 1903.

Permanente à établir en vertu de l'Article VII, et que la ratification de la Convention par Sa Majesté est déposée moyennant la Déclaration explicite mentionnée ci-dessus.

Pour copie conforme :

Le Secrétaire-Général du
Ministère des Affaires Étrangères de Belgique,

(Signé) F. A. LAMBERMONT.

Bruxelles, le 31 Janvier, 1903.

No. 79.

INDUSTRIAL PROPERTY CONVENTION.

ACCESSION OF NEW ZEALAND TO THE ADDITIONAL ACT, SIGNED AT BRUSSELS, DECEMBER 14, 1900, AND ACCESSION OF CEYLON (JUNE 10, 1905) TO THE CONVENTION OF 1883, AS MODIFIED BY THE ADDITIONAL ACT OF DECEMBER 14, 1900.

May 15, 1905.

(No. 1.)

M. Carlin to the Marquess of Lansdowne.—(Received May 16.)

*Légation de Suisse, Londres,
le 15 Mai, 1905.*

M. le Marquis,

SUR l'ordre de mon Gouvernement, j'ai l'honneur de vous faire part qu'à la demande du Ministre de Sa Majesté Britannique à Berne, le Conseil Fédéral Suisse, en date du 10 de ce mois, a notifié aux Gouvernements membres de l'Union pour la Protection de la Propriété Industrielle—

1. Que la Colonie de la Nouvelle-Zélande, qui appartient à l'Union depuis l'année 1891, a adhéré à l'Acte Additionnel de Bruxelles du 14 Décembre, 1900;

2. Que la Colonie de Ceylan a accédé à la Convention pour la Protection de la Propriété Industrielle du 20 Mars, 1883, telle qu'elle a été modifiée par l'Acte Additionnel du 14 Décembre, 1900.

Aucune date spéciale n'ayant été indiquée pour l'entrée en vigueur de la Convention en ce qui concerne la Colonie de Ceylan, le Conseil Fédéral a fait remarquer, dans sa Circulaire aux États intéressés, qu'il y avait lieu d'appliquer les dispositions de l'Article XVI révisé de la dite Convention, aux termes duquel cette dernière produit ses effets un mois après la

notification faite par le Gouvernement Suisse aux autres États unionistes. Il en résulte que la Convention entrera en vigueur, en ce qui concerne Ceylan, le 10 *Juin prochain*.

En priant votre Seigneurie de vouloir bien consentir à me donner acte de la présente communication, je saisis, &c.

(Signé) CARLIN.

(No. 2.)

The Marquess of Lansdowne to M. Carlin.

Sir,

Foreign Office, June 8, 1905.

I HAVE the honour to acknowledge the receipt of your note of the 15th ultimo, informing me that, at the request of His Majesty's Minister at Berne, the Swiss Federal Council notified, on the 10th ultimo, to the Governments parties to the Union for the Protection of Industrial Property—

1. That the Colony of New Zealand, which has been a member of the Union since 1891, has adhered to the Additional Act signed at Brussels, December 14th, 1900;

2. That the Colony of Ceylon has acceded to the Industrial Property Convention of the 20th March, 1883, as modified by the Additional Act of the 14th December, 1900.

You also acquaint me that, no special date having been fixed for the accession of Ceylon, the Swiss Federal Council have informed the States interested that, in accordance with Article XVI of the revised Convention, such accession will take effect one month after the notification by the Swiss Government, and that consequently the Convention will come into force, so far as regards Ceylon, on the 10th instant.

In taking note of this communication, I have, &c.

(Signed) LANSDOWNE.

No. 80.

GENERAL ACT OF THE INTERNATIONAL CONFERENCE AT ALGECIRAS
RELATING TO THE AFFAIRS OF MOROCCO.

April 7, 1906.

[*Ratifications deposited at Madrid, December 31, 1906.*]

Acte Général de la Conférence Internationale d'Algéciras.

Au nom de Dieu Tout-Puissant :

SA Majesté le Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande et des territoires britanniques au delà des Mers, Empereur des Indes ;

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire Allemand ;

Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., et Roi Apostolique de Hongrie ;

Sa Majesté le Roi des Belges ;

Sa Majesté le Roi d'Espagne ;

Le Président des États-Unis d'Amérique ;

Le Président de la République Française ;

Sa Majesté le Roi d'Italie ;

Sa Majesté le Sultan du Maroc ;

Sa Majesté la Reine des Pays-Bas ;

Sa Majesté le Roi de Portugal et des Algarves, &c., &c., &c.

Sa Majesté l'Empereur de Toutes les Russies ;

Sa Majesté le Roi de Suède ;

S'inspirant de l'intérêt qui s'attache à ce que l'ordre, la paix et la prospérité règnent au Maroc, et ayant reconnu que ce but précieux ne saurait être atteint que moyennant l'introduction de réformes basées sur le triple principe de la souveraineté et de l'indépendance de Sa Majesté le Sultan, de l'intégrité de Ses États et de la liberté économique sans aucune inégalité, ont résolu, sur l'invitation qui Leur a été adressée par Sa Majesté Chérifienne, de réunir une Conférence à Algéciras pour arriver à une entente sur les dites réformes, ainsi que pour examiner les moyens de se procurer les ressources nécessaires à leur application, et ont nommé pour Leurs Délégués Plénipotentiaires, savoir :

Sa Majesté le Roi du Royaume-Uni de la Grande-Bretagne et d'Irlande et des territoires britanniques au delà des mers, Empereur des Indes :

Sir Arthur Nicolson, Son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté l'Empereur de toutes les Russies ;

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire Allemand :

Le Sieur Joseph de Radowitz, Son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté Catholique, et

Le Sieur Christian, Comte de Tattenbach, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Très-Fidèle ;

Sa Majesté l'Empereur d'Autriche, Roi de Bohême etc., et Roi Apostolique de Hongrie :

Le Sieur Rodolphe, Comte de Welsersheimb, Son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté Catholique, et

Le Sieur Léopold, Comte Bolesta-Koziebrodzki, Son Envoyé Extraordinaire et Ministre Plénipotentiaire au Maroc ;

Sa Majesté le Roi des Belges :

Le Sieur Maurice, Baron Joostens, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Catholique, et

Le Sieur Conrad, Comte de Buisseret-Steenbecque de Blarenghien, Son Envoyé Extraordinaire et Ministre Plénipotentiaire au Maroc ;

Sa Majesté le Roi d'Espagne :

Don Juan Manuel Sánchez y Gutiérrez de Castro, Duc de Almodóvar del Río, Son Ministre d'État, et

Don Juan Pérez-Caballero y Ferrer, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Belges ;

Le Président des États-Unis d'Amérique :

Le Sieur Henry White, Ambassadeur Extraordinaire et Plénipotentiaire des États-Unis d'Amérique près Sa Majesté le Roi d'Italie, et

Le Sieur Samuel R. Gummeré, Envoyé Extraordinaire et Ministre Plénipotentiaire des États-Unis d'Amérique au Maroc ;

Le Président de la République Française :

Le Sieur Paul Révoil, Ambassadeur Extraordinaire et Plénipotentiaire de la République Française auprès de la Confédération Suisse, et

Le Sieur Eugène Regnault, Ministre Plénipotentiaire ;

Sa Majesté le Roi d'Italie :

Le Sieur Emile, Marquis Visconti Venosta, Chevalier de l'Ordre de la Très-Sainte Annonciade, et

Le Sieur Giulio Malmusi, Son Envoyé Extraordinaire et Ministre Plénipotentiaire au Maroc ;

Sa Majesté le Sultan du Maroc :

El Hadj Mohamed Ben-el Arbi Ettorrés, Son Délégué à Tanger et Son Ambassadeur Extraordinaire,

El Hadj Mohamed Ben Abdesselam el Mokri, Son Ministre des Dépenses,

El Hadj Mohamed Es-Seffar, et

Sid Abderrhaman Bennis ;

Sa Majesté la Reine des Pays-Bas :

Le Sieur Jonkheer Hannibal Testa, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Catholique ;

Sa Majesté le Roi de Portugal et des Algarves, &c., &c., &c. :

Le Sieur Antoine, Comte de Tovar, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Catholique, et

Le Sieur François-Robert, Comte de Martens Ferrão, Pair du Royaume, Son Envoyé Extraordinaire et Ministre Plénipotentiaire au Maroc ;

Sa Majesté l'Empereur de toutes les Russies

Le Sieur Arthur, Comte Cassini, Son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté Catholique, et

Le Sieur Basile Bacheracht, Son Ministre au Maroc ;

Sa Majesté le Roi de Suède :

Le Sieur Robert Sager, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Catholique et près Sa Majesté Très-Fidèle ;

Lesquels, munis de pleins pouvoirs qui ont été trouvés en bonne et due forme, ont, conformément au programme sur lequel Sa Majesté Chérifienne et les Puissances sont tombées d'accord, successivement discuté et adopté :

- I. Une Déclaration relative à l'organisation de la police ;
- II. Un Règlement concernant la surveillance et la répression de la contrebande des armes ;
- III. Un Acte de concession d'une Banque d'État marocaine ;
- IV. Une Déclaration concernant un meilleur rendement des impôts et la création de nouveaux revenus ;
- V. Un Règlement sur les Douanes de l'Empire et la répression de la fraude et de la contrebande ;
- VI. Une Déclaration relative aux Services Publics et aux Travaux Publics ;

et, ayant jugé que ces différents documents pourraient être utilement coordonnés en un seul instrument, les ont réunis en un Acte général composé des Articles suivants :—

CHAPITRE I.—*Déclaration relative à l'Organisation de la Police.*

ARTICLE 1^{er}.

La Conférence, appelée par Sa Majesté le Sultan à se prononcer sur les mesures nécessaires pour organiser la police, déclare que les dispositions à prendre sont les suivantes.

ARTICLE 2.

La police sera placée sous l'autorité souveraine de Sa Majesté le Sultan. Elle sera recrutée par le Makhzen parmi les musulmans marocains, commandée par des Caïds marocains et répartie dans les huit ports ouverts au commerce.

ARTICLE 3.

Pour venir en aide au Sultan dans l'organisation de cette police, des officiers et sous-officiers instructeurs espagnols, des officiers et sous-officiers instructeurs français, seront mis à Sa disposition par leurs Gouvernements respectifs, qui soumettront leur désignation à l'agrément de Sa Majesté Chérifienne. Un contrat passé entre le Makhzen et les instructeurs, en conformité du règlement prévu à l'article 4, déterminera les conditions de leur engagement et fixera leur solde qui ne pourra pas être inférieure au double de la solde correspondante au grade de chaque officier ou sous-officier. Il leur sera alloué, en outre, une indemnité de résidence variable suivant les localités. Des logements convenables seront mis à leur

disposition par le Makhzen qui fournira également les montures et les fourrages nécessaires.

Les Gouvernements auxquels ressortissent les instructeurs se réservent le droit de les rappeler et de les remplacer par d'autres, agréés et engagés dans les mêmes conditions.

ARTICLE 4.

Ces officiers et sous-officiers prêteront, pour une durée de cinq années à dater de la ratification de l'Acte de la Conférence, leur concours à l'organisation des corps de police chérifiens. Ils assureront l'instruction et la discipline conformément au règlement qui sera établi sur la matière; ils veilleront également à ce que les hommes enrôlés possèdent l'aptitude au service militaire. D'une façon générale, ils devront surveiller l'administration des troupes et contrôler le paiement de la solde qui sera effectué par l'Amin; assisté de l'officier instructeur comptable. Ils prêteront aux autorités marocaines, investies du commandement de ces corps, leur concours technique pour l'exercice de ce commandement.

Les dispositions réglementaires propres à assurer le recrutement, la discipline, l'instruction et l'administration des corps de police seront arrêtées d'un commun accord entre le Ministre de la Guerre chérifien ou son délégué, l'inspecteur prévu à l'article 7, l'instructeur français et l'instructeur espagnol les plus élevés en grade.

Le règlement devra être soumis au Corps Diplomatique à Tanger qui formulera son avis dans le délai d'un mois. Passé ce délai, le règlement sera mis en application.

ARTICLE 5.

L'effectif total des troupes de police ne devra pas dépasser deux mille cinq cents hommes ni être inférieur à deux mille. Il sera réparti suivant l'importance des ports par groupes variant de cent cinquante à six cents hommes. Le nombre des officiers espagnols et français sera de seize à vingt; celui des sous-officiers espagnols et français, de trente à quarante.

ARTICLE 6.

Les fonds, nécessaires à l'entretien et au paiement de la solde des troupes et des officiers et sous-officiers instructeurs, seront avancés au Trésor chérifien par la Banque d'État, dans les limites du budget annuel attribué à la police qui ne devra pas dépasser deux millions et demi de pesetas pour un effectif de deux mille cinq cents hommes.

ARTICLE 7.

Le fonctionnement de la police sera, pendant la même période de cinq années, l'objet d'une inspection générale qui sera confiée par Sa Majesté Chérifienne à un officier supérieur de l'armée suisse dont le choix sera proposé à Son agrément par le Gouvernement fédéral suisse.

Cet officier prendra le titre d'Inspecteur général et aura sa résidence à Tanger.

Il inspectera, au moins une fois par an, les divers corps de police et, à la suite de ces inspections, il établira un rapport qu'il adressera au Makhzen.

En dehors des rapports réguliers, il pourra, s'il le juge nécessaire, établir des rapports spéciaux sur toute question concernant le fonctionnement de la police.

Sans intervenir directement dans le commandement ou l'instruction, l'Inspecteur général se rendra compte des résultats obtenus par la police chérifienne au point de vue du maintien de l'ordre et de la sécurité dans les localités où cette police sera installée.

ARTICLE 8.

Les rapports et communications, faits au Makhzen par l'Inspecteur général au sujet de sa mission, seront, en même temps, remis en copie au Doyen du Corps Diplomatique à Tanger, afin que le Corps Diplomatique soit mis à même de constater que la police chérifienne fonctionne conformément aux décisions prises par la Conférence et de surveiller si elle garantit, d'une manière efficace et conforme aux traités, la sécurité des personnes et des biens des ressortissants étrangers, ainsi que celle des transactions commerciales.

ARTICLE 9.

En cas de réclamations dont le Corps Diplomatique serait saisi par la Légation intéressée, le Corps Diplomatique pourra, en avisant le Représentant du Sultan, demander à l'Inspecteur général de faire une enquête et d'établir un rapport sur ces réclamations, à toutes fins utiles.

ARTICLE 10.

L'Inspecteur général recevra un traitement annuel de vingt-cinq mille francs. Il lui sera alloué, en outre, une indemnité de six mille francs pour frais de tournées. Le Makhzen mettra à sa disposition une maison convenable et pourvoira à l'entretien de ses chevaux.

ARTICLE 11.

Les conditions matérielles de son engagement et de son installation, prévues à l'article 10, feront l'objet d'un contrat passé entre lui et le Makhzen. Ce contrat sera communiqué en copie au Corps Diplomatique.

ARTICLE 12.

Le cadre des instructeurs de la police chérifienne (officiers et sous-officiers) sera espagnol à Tétouan, mixte à Tanger, espagnol à Larache, français à Rabat, mixte à Casablanca, et français dans les trois autres ports.

CHAPITRE II. — *Règlement concernant la Surveillance et la Répression de la Contrebande des Armes.*

ARTICLE 13.

Sont prohibés dans toute l'étendue de l'Empire Chérifien, sauf dans les cas spécifiés aux articles 14 et 15, l'importation et le commerce des armes de guerre, pièces d'armes, munitions chargées ou non chargées de toutes espèces, poudres, salpêtre, fulmi-coton, nitro glycérine et toutes compositions destinées exclusivement à la fabrication des munitions.

ARTICLE 14.

Les explosifs nécessaires à l'industrie et aux travaux publics pourront néanmoins être introduits. Un règlement, pris dans les formes indiquées à l'article 18, déterminera les conditions dans lesquelles sera effectuée leur importation.

ARTICLE 15.

Les armes, pièces d'armes et munitions, destinées aux troupes de Sa Majesté Chérifienne, seront admises après l'accomplissement des formalités suivantes :—

Une déclaration, signée par le Ministre de la Guerre marocain, énonçant le nombre et l'espèce des fournitures de ce genre commandées à l'industrie étrangère, devra être présentée à la Légation du pays d'origine qui y apposera son visa.

Le dédouanement des caisses et colis contenant les armes et munitions, livrées en exécution de la commande du Gouvernement marocain, sera opéré sur la production :

- 1°. de la déclaration spécifiée ci-dessus,
- 2°. du connaissance indiquant le nombre, le poids des colis, le nombre et l'espèce des armes et munitions qu'ils contiennent. Ce document devra être visé par la Légation du pays d'origine qui marquera au verso les quantités successives précédemment dédouanées. Le visa sera refusé à partir du moment où la commande aura été intégralement livrée.

ARTICLE 16.

L'importation des armes de chasse et de luxe, pièces d'armes, cartouches chargées et non chargées, est également interdite. Elle pourra, toutefois, être autorisée :

- 1°. pour les besoins strictement personnels de l'importateur,
- 2°. pour l'approvisionnement des magasins d'armes autorisés conformément à l'article 18.

ARTICLE 17.

Les armes et munitions de chasse ou de luxe seront admises pour les besoins strictement personnels de l'importateur, sur la production d'un permis délivré par le Représentant du Makhzen à Tanger. Si l'importateur est étranger, le permis ne sera établi que sur la demande de la Légation dont il relève.

En ce qui concerne les munitions de chasse, chaque permis portera au maximum sur mille cartouches ou les fournitures nécessaires à la fabrication de mille cartouches.

Le permis ne sera donné qu'à des personnes n'ayant encouru aucune condamnation correctionnelle.

ARTICLE 18.

Le commerce des armes de chasse et de luxe, non rayées, de fabrication étrangère, ainsi que des munitions qui s'y rapportent, sera réglementé, dès que les circonstances le permettront, par décision chérifienne, prise conformément à l'avis du Corps Diplomatique à Tanger, statuant à la majorité des voix. Il en sera de même des décisions ayant pour but de suspendre ou de restreindre l'exercice de ce commerce.

Seules, les personnes ayant obtenu une licence spéciale et temporaire du Gouvernement marocain, seront admises à ouvrir et exploiter des débits d'armes et de munitions de chasse. Cette licence ne sera accordée que sur demande écrite de l'intéressé, appuyée d'un avis favorable de la Légation dont il relève.

Des règlements pris dans la forme indiquée au paragraphe premier de cet article détermineront le nombre des débits pouvant être ouverts à Tanger et, éventuellement, dans les ports qui seront ultérieurement désignés. Ils fixeront les formalités imposées à l'importation des explosifs à l'usage de l'industrie et des travaux publics, des armes et munitions destinées à l'approvisionnement des débits, ainsi que les quantités maxima qui pourront être conservées en dépôt.

En cas d'infractions aux prescriptions réglementaires, la licence pourra être retirée à titre temporaire ou à titre définitif, sans préjudice des autres peines encourues par les délinquants.

ARTICLE 19.

Toute introduction ou tentative d'introduction de marchandises prohibées donnera lieu à leur confiscation et, en outre, aux peines et amendes ci-dessous, qui seront prononcées par la juridiction compétente.

ARTICLE 20.

L'introduction, ou tentative d'introduction, par un port ouvert au commerce ou par un bureau de douane, sera punie :

1°. D'une amende de cinq cents à deux mille pesetas et d'une

amende supplémentaire égale à trois fois la valeur de la marchandise importée ;

- 2°. D'un emprisonnement de cinq jours à un an ;
ou de l'une des deux pénalités seulement.

ARTICLE 21.

L'introduction, ou tentative d'introduction, en dehors d'un port ouvert au commerce ou d'un bureau de douane, sera punie :

1°. D'une amende de mille à cinq mille pesetas et d'une amende supplémentaire, égale à trois fois la valeur de la marchandise importée ;

- 2°. D'un emprisonnement de trois mois à deux ans ;
ou de l'une des deux pénalités seulement.

ARTICLE 22.

La vente frauduleuse, le recel et le colportage des marchandises prohibées par le présent règlement seront punis des peines édictées à l'article 20.

ARTICLE 23.

Les complices des délits prévus aux articles 20, 21, et 22, seront passibles des mêmes peines que les auteurs principaux. Les éléments caractérisant la complicité seront appréciés d'après la législation du tribunal saisi.

ARTICLE 24.

Quand il y aura des indices sérieux, faisant soupçonner qu'un navire mouillé dans un port ouvert au commerce transporte en vue de leur introduction au Maroc des armes, des munitions ou d'autres marchandises prohibées, les agents de la douane chérifienne devront signaler ces indices à l'autorité consulaire compétente afin que celle-ci procède, avec l'assistance d'un délégué de la douane chérifienne, aux enquêtes, vérifications ou visites qu'elle jugera nécessaires.

ARTICLE 25.

Dans le cas d'introduction ou de tentative d'introduction par mer de marchandises prohibées, en dehors d'un port ouvert au commerce, la douane marocaine pourra amener le navire au port le plus proche pour être remis à l'autorité consulaire, laquelle pourra le saisir et maintenir la saisie jusqu'au paiement des amendes prononcées. Toutefois, la saisie du navire devra être levée, en tout état de l'instance, en tant que cette mesure

n'entravera pas l'instruction judiciaire, sur consignation du montant maximum de l'amende entre les mains de l'autorité consulaire ou sous caution solvable de la payer, acceptée par la douane.

ARTICLE 26.

Le Makhzen conservera les marchandises confisquées, soit pour son propre usage, si elles peuvent lui servir, à condition que les sujets de l'Empire ne puissent s'en procurer, soit pour les faire vendre en pays étranger.

Les moyens de transport à terre pourront être confisqués et seront vendus au profit du Trésor Chérifien.

ARTICLE 27.

La vente des armes réformées par le Gouvernement marocain sera prohibée dans toute l'étendue de l'Empire Chérifien.

ARTICLE 28.

Des primes, à prélever sur le montant des amendes prononcées, seront attribuées aux indicateurs qui auront amené la découverte des marchandises prohibées et aux agents qui en auront opéré la saisie : ces primes seront ainsi attribuées après déduction, s'il y a lieu, des frais du procès, un tiers à répartir par la douane entre les indicateurs, un tiers aux agents ayant saisi la marchandise, et un tiers au Trésor marocain.

Si la saisie a été opérée sans l'intervention d'un indicateur, la moitié des amendes sera attribuée aux agents saisissants et l'autre moitié au Trésor chérifien.

ARTICLE 29.

Les autorités douanières marocaines devront signaler directement aux agents diplomatiques ou consulaires les infractions au présent règlement commises par leurs ressortissants, afin que ceux-ci soient poursuivis devant la juridiction compétente.

Les mêmes infractions, commises par des sujets marocains, seront déferées directement par la douane à l'autorité chérifienne.

Un délégué de la douane sera chargé de suivre la procédure des affaires pendantes devant les diverses juridictions.

ARTICLE 30.

Dans la région frontière de l'Algérie, l'application du règlement sur la contrebande des armes restera l'affaire exclusive de la France et du Maroc.

De même, l'application du règlement sur la contrebande des armes dans le Riff et, en général, dans les régions frontalières des Possessions espagnoles, restera l'affaire exclusive de l'Espagne et du Maroc.

CHAPITRE III.—*Acte de Concession d'une Banque d'État.*

ARTICLE 31.

Une Banque sera instituée au Maroc sous le nom de "Banque d'État du Maroc" pour exercer les droits ci-après spécifiés dont la concession lui est accordée par Sa Majesté le Sultan, pour une durée de quarante années à partir de la ratification du présent Acte.

ARTICLE 32.

La Banque, qui pourra exécuter toutes les opérations rentrant dans les attributions d'une banque, aura le privilège exclusif d'émettre des billets au porteur, remboursables à présentation, ayant force libératoire dans les caisses publiques de l'Empire marocain.

La Banque maintiendra, pour le terme de deux ans à compter de la date de son entrée en fonctions, une encaisse au moins égale à la moitié de ses billets en circulation, et au moins égale au tiers après cette période de deux ans révolue. Cette encaisse sera constituée pour au moins un tiers en or ou monnaie or.

ARTICLE 33.

La Banque remplira, à l'exclusion de toute autre banque ou établissement de crédit, les fonctions de trésorier-payeur de l'Empire. A cet effet, le Gouvernement marocain prendra les mesures nécessaires pour faire verser dans les caisses de la Banque le produit des revenus des douanes, à l'exclusion de la partie affectée au service de l'Emprunt 1904 et des autres revenus qu'il désignera.

Quant au produit de la taxe spéciale créée en vue de l'accomplissement de certains travaux publics, le Gouvernement marocain devra le faire verser à la Banque, ainsi que les revenus qu'il pourrait ultérieurement affecter à la garantie de ses emprunts, la Banque étant spécialement chargée d'en assurer le service, à l'exception toutefois de l'Emprunt 1904 qui se trouve régi par un Contrat spécial.

ARTICLE 34.

La Banque sera l'agent financier du Gouvernement, tant au dedans qu'au dehors de l'Empire, sans préjudice du droit pour le

Gouvernement de s'adresser à d'autres maisons de banque ou établissements de crédit pour ses emprunts publics. Toutefois, pour les dits emprunts, la Banque jouira d'un droit de préférence, à conditions égales, sur toute maison de banque ou établissement de crédit.

Mais, pour les Bons du Trésor et autres effets de trésorerie à court terme que le Gouvernement marocain voudrait négocier, sans en faire l'objet d'une émission publique, la Banque sera chargée, à l'exclusion de tout autre établissement, d'en faire la négociation, soit au Maroc, soit à l'étranger, pour le compte du Gouvernement marocain.

ARTICLE 35.

A valoir sur les rentrées du Trésor, la Banque fera au Gouvernement marocain des avances en compte-courant jusqu'à concurrence d'un million de francs.

La Banque ouvrira, en outre, au Gouvernement, pour une durée de dix ans à partir de sa constitution, un crédit qui ne pourra pas dépasser les deux tiers de son capital initial.

Ce crédit sera réparti sur plusieurs années et employé en premier lieu aux dépenses d'installation et d'entretien des corps de police organisés conformément aux décisions prises par la Conférence, et subsidiairement aux dépenses de travaux d'intérêt général qui ne seraient pas imputées sur le fonds spécial prévu à l'article suivant.

Le taux de ces deux avances sera au maximum de sept pour cent, commission de banque comprise, et la Banque pourra demander au Gouvernement de lui remettre en garantie de leur montant une somme équivalente en Bons du Trésor.

Si, avant l'expiration des dix années, le Gouvernement marocain venait à contracter un emprunt, la Banque aurait la faculté d'obtenir le remboursement immédiat des avances faites conformément au deuxième alinéa du présent article.

ARTICLE 36.

Le produit de la taxe spéciale (Articles 33 et 66) formera un fonds spécial dont la Banque tiendra une comptabilité à part. Ce fonds sera employé conformément aux prescriptions arrêtées par la Conférence.

En cas d'insuffisance et à valoir sur les rentrées ultérieures, la Banque pourra ouvrir à ce fonds un crédit dont l'importance ne dépassera pas le montant des encaissements pendant l'année antérieure.

Les conditions de taux et de commission seront les mêmes que celles fixées à l'article précédent pour l'avance en compte-courant ce Trésor.

ARTICLE 37.

La Banque prendra les mesures qu'elle jugera utiles pour assainir la situation monétaire au Maroc. La monnaie espagnole continuera à être admise à la circulation avec force libératoire.

En conséquence, la Banque sera exclusivement chargée de l'achat des métaux précieux, de la frappe et de la refonte des monnaies, ainsi que de toutes autres opérations monétaires qu'elle fera pour le compte et au profit du Gouvernement marocain.

ARTICLE 38.

La Banque, dont le siège social sera à Tanger, établira des succursales et agences dans les principales villes du Maroc et dans tout autre endroit où elle le jugera utile.

ARTICLE 39.

Les emplacements nécessaires à l'établissement de la Banque ainsi que de ses succursales et agences au Maroc seront mis gratuitement à sa disposition par le Gouvernement et, à l'expiration de la concession, le Gouvernement en reprendra possession et remboursera à la Banque les frais de construction de ces établissements. La Banque sera, en outre, autorisée à acquérir tout bâtiment et terrain dont elle pourrait avoir besoin pour le même objet.

ARTICLE 40.

Le Gouvernement chérifien assurera sous sa responsabilité la sécurité et la protection de la Banque, de ses succursales et agences. A cet effet, il mettra dans chaque ville une garde suffisante à la disposition de chacun de ces établissements.

ARTICLE 41.

La Banque, ses succursales et agences, seront exemptes de tout impôt ou redevance ordinaire ou extraordinaire, existants ou à créer; il en est de même pour les immeubles affectés à ses services, les titres et coupons de ses actions et ses billets. L'importation et l'exportation des métaux et monnaies destinés aux opérations de la Banque seront autorisées et exemptes de tout droit.

ARTICLE 42.

Le Gouvernement chérifien exercera sa haute surveillance sur la Banque par un Haut Commissaire marocain, nommé par lui, après entente préalable avec le Conseil d'Administration de la Banque.

Ce Haut Commissaire aura le droit de prendre connaissance de la gestion de la Banque; il contrôlera l'émission des billets de Banque et veillera à la stricte observation des dispositions de la concession.

Le Haut Commissaire devra signer chaque billet ou y apposer son sceau; il sera chargé de la surveillance des relations de la Banque avec le Trésor Impérial.

Il ne pourra pas s'immiscer dans l'administration et la gestion des affaires de la Banque, mais il aura toujours le droit d'assister aux réunions des Censeurs.

Le Gouvernement chérifien nommera un ou deux Commissaires adjoints qui seront spécialement chargés de contrôler les opérations financières du Trésor avec la Banque.

ARTICLE 43.

Un règlement, précisant les rapports de la Banque et du Gouvernement marocain, sera établi par le Comité spécial prévu à l'article 57 et approuvé par les Censeurs.

ARTICLE 44.

La Banque, constituée avec approbation du Gouvernement de Sa Majesté Chérifienne, sous la forme des sociétés anonymes, est régie par la loi française sur la matière.

ARTICLE 45.

Les actions intentées au Maroc par la Banque seront portées devant le Tribunal consulaire du défendeur ou devant la juridiction marocaine, conformément aux règles de compétence établies par les traités et les firmans chérifiens.

Les actions, intentées au Maroc contre la Banque, seront portées devant un Tribunal spécial, composé de trois magistrats consulaires et de deux assesseurs. Le Corps Diplomatique établira, chaque année, la liste des magistrats, des assesseurs, et de leurs suppléants.

Ce Tribunal appliquera à ces causes les règles de droit, de procédure et de compétence édictées en matière commerciale par la législation française. L'appel des jugements prononcés par ce Tribunal sera porté devant la Cour fédérale de Lausanne qui statuera en dernier ressort.

ARTICLE 46.

En cas de contestation sur les clauses de la concession ou de litiges pouvant survenir entre le Gouvernement marocain et la Banque, le différend sera soumis, sans appel ni recours, à la Cour fédérale de Lausanne.

Seront également soumises à cette Cour, sans appel ni recours, toutes les contestations qui pourraient s'élever entre les actionnaires et la Banque sur l'exécution des Statuts ou à raison des affaires sociales.

ARTICLE 47.

Les Statuts de la Banque seront établis d'après les bases suivantes par un Comité spécial prévu par l'article 57. Ils seront approuvés par les Censeurs et ratifiés par l'Assemblée générale des actionnaires.

ARTICLE 48.

L'Assemblée générale constitutive de la Société fixera le lieu où se tiendront les Assemblées des actionnaires et les réunions du Conseil d'Administration ; toutefois, ce dernier aura la faculté de se réunir dans toute autre ville s'il le juge utile.

La Direction de la Banque sera fixée à Tanger.

ARTICLE 49.

La Banque sera administrée par un Conseil d'Administration composé d'autant de membres qu'il sera fait de parts dans le capital initial.

Les administrateurs auront les pouvoirs les plus étendus pour l'administration et la gestion de la Société ; ce sont eux notamment qui nommeront les Directeurs, Sous-Directeurs et Membres de la Commission indiquée à l'article 54, ainsi que les Directeurs des Succursales et Agencés.

Tous les employés de la Société seront recrutés, autant que possible, parmi les ressortissants des diverses Puissances qui ont pris part à la souscription du capital.

ARTICLE 50.

Les Administrateurs, dont la nomination sera faite par l'Assemblée générale des actionnaires, seront désignés à son agrément par les groupes souscripteurs du capital.

Le premier conseil restera en fonctions pendant cinq années. A l'expiration de ce délai, il sera procédé à son renouvellement à raison de trois membres par an. Le sort déterminera l'ordre de sortie des Administrateurs ; ils seront rééligibles.

A la constitution de la Société, chaque groupe souscripteur aura le droit de désigner autant d'Administrateurs qu'il aura souscrit de parts entières, sans que les groupes soient obligés de porter leur choix sur un candidat de leur propre nationalité.

Les groupes souscripteurs ne conserveront leur droit de désignation des Administrateurs, lors du remplacement de ces derniers, ou du renouvellement de leur mandat, qu'autant qu'ils

pourront justifier être encore en possession d'au moins la moitié de chaque part pour laquelle ils exercent ce droit.

Dans le cas où, par suite de ces dispositions, un groupe souscripteur ne se trouverait plus en mesure de désigner un administrateur, l'Assemblée générale des actionnaires, pourvoirait directement à cette désignation.

ARTICLE 51.

Chacun des établissements ci-après : Banque de l'Empire Allemand, Banque d'Angleterre, Banque d'Espagne, Banque de France, nommera, avec l'agrément de son Gouvernement, un Censeur auprès de la Banque d'État du Maroc.

Les Censeurs resteront en fonctions pendant quatre années. Les Censeurs sortants peuvent être désignés à nouveau.

En cas de décès ou de démission, il sera pourvu à la vacance par l'établissement qui a procédé à la désignation de l'ancien titulaire, mais seulement pour le temps où ce dernier devait rester en charge.

ARTICLE 52.

Les Censeurs qui exerceront leur mandat en vertu du présent Acte des Puissances signataires devront, dans l'intérêt de celles-ci, veiller sur le bon fonctionnement de la Banque et assurer la stricte observation des clauses de la Concession et des Statuts. Ils veilleront à l'exact accomplissement des prescriptions concernant l'émission des billets et devront surveiller les opérations tendant à l'assainissement de la situation monétaire; mais ils ne pourront jamais, sous quelque prétexte que ce soit, s'immiscer dans la gestion des affaires, ni dans l'administration intérieure de la Banque.

Chacun des Censeurs pourra examiner en tout temps les comptes de la Banque, demander, soit au Conseil d'Administration, soit à la Direction, des informations sur la gestion de la Banque et assister aux réunions du Conseil d'Administration, mais seulement avec voix consultative.

Les quatre Censeurs se réuniront à Tanger, dans l'exercice de leurs fonctions, au moins une fois tous les deux ans, à une date à concerter entre eux. D'autres réunions à Tanger ou ailleurs devront avoir lieu, si trois des Censeurs l'exigent.

Les quatre Censeurs dresseront, d'un commun accord, un rapport annuel qui sera annexé à celui du Conseil d'Administration. Le Conseil d'Administration transmettra, sans délai, une copie de ce rapport à chacun des Gouvernements signataires de l'Acte de la Conférence.

ARTICLE 53.

Les émoluments et indemnités de déplacement, affectés aux Censeurs, seront établis par le Comité d'étude des Statuts. Ils seront directement versés à ces agents par les Banques chargées de

leur désignation et remboursés à ces établissements par la Banque d'État du Maroc.

ARTICLE 54.

Il sera institué à Tanger auprès de la Direction une Commission dont les membres seront choisis par le Conseil d'Administration sans distinction de nationalité, parmi les notables résidant à Tanger, propriétaires d'actions de la Banque.

Cette Commission, qui sera présidée par un des Directeurs, ou Sous-Directeurs, donnera son avis sur les escomptes et ouvertures de crédits.

Elle adressera un rapport mensuel sur ces diverses questions au Conseil d'Administration.

ARTICLE 55.

Le capital, dont l'importance sera fixée par le Comité spécial désigné à l'article 57, sans pouvoir être inférieur à quinze millions de francs, ni supérieur à vingt millions, sera formé en monnaie or et les actions, dont les coupures représenteront une valeur équivalente à cinq cents francs, seront libellées dans les diverses monnaies or, à un change fixe, déterminé par les Statuts.

Ce capital pourra être ultérieurement augmenté, en une ou plusieurs fois, par décision de l'Assemblée Générale des Actionnaires.

La souscription de ces augmentations de capital sera réservée à tous les porteurs d'actions, sans distinction de groupe, proportionnellement aux titres possédés par chacun d'eux.

ARTICLE 56.

Le capital initial de la Banque sera divisé en autant de parts égales qu'il y aura de parties prenantes parmi les Puissances représentées à la Conférence.

A cet effet, chaque Puissance désignera une Banque qui exercera, soit pour elle-même, soit pour un groupe de banques, le droit de souscription ci-dessus spécifié, ainsi que le droit de désignation des Administrateurs prévu à l'article 50. Toute banque, choisie comme chef de groupe, pourra avec l'autorisation de son Gouvernement être remplacée par une autre banque du même pays.

Les États, qui voudraient se prévaloir de leur droit de souscription, auront à communiquer cette intention au Gouvernement Royal d'Espagne dans un délai de quatre semaines, à partir de la signature du présent Acte par les représentants des Puissances.

Toutefois, deux parts égales à celles réservées à chacun des groupes souscripteurs seront attribuées au *Consortium* des banques signataires du contrat du 12 Juin 1904, en compensation de la

cession qui sera faite par le *Consortium* à la Banque d'État du Maroc :

1° des droits spécifiés à l'article 33 du contrat ;

2° du droit inscrit à l'article 32 (§ 2) du contrat, concernant le solde disponible des recettes douanières sous réserve expresse du privilège général conféré en premier rang par l'article 11 du même contrat aux porteurs de Titres sur la totalité du Produit des Douanes.

ARTICLE 57.

Dans un délai de trois semaines à partir de la clôture de la souscription, notifiée par le Gouvernement Royal d'Espagne aux Puissances intéressées, un Comité spécial, composé de délégués nommés par les groupes souscripteurs, dans les conditions prévues à l'article 50 pour la nomination des Administrateurs, se réunira afin d'élaborer les Statuts de la Banque.

L'Assemblée générale constitutive de la Société aura lieu dans un délai de deux mois, à partir de la ratification du présent Acte.

Le rôle du Comité spécial cessera aussitôt après la constitution de la Société.

Le Comité spécial fixera lui-même le lieu de ses réunions.

ARTICLE 58.

Aucune modification aux Statuts ne pourra être apportée si ce n'est sur la proposition du Conseil d'Administration et après avis conforme des Censeurs et du Haut Commissaire Impérial.

Ces modifications devront être votées par l'Assemblée Générale des Actionnaires à la majorité des trois quarts des membres présents ou représentés.

CHAPITRE IV.—*Déclaration concernant un Meilleur Rendement des Impôts et la Création de Nouveaux Revenus.*

ARTICLE 59.

Dès que le *tertib* sera mis à exécution d'une façon régulière à l'égard des sujets marocains, les Représentants des Puissances à Tanger y soumettront leurs ressortissants dans l'Empire. Mais il est entendu que le dit impôt ne sera appliqué aux étrangers,

(a) que dans les conditions fixées par le règlement du Corps Diplomatique à Tanger en date du 23 Novembre 1903,

(b) que dans les localités où il sera effectivement perçu sur les sujets marocains.

Les autorités consulaires retiendront un tantième pour cent des sommes encaissées sur leurs ressortissants pour couvrir les frais occasionnés par la rédaction des rôles et le recouvrement de la taxe.

Le taux de cette retenue sera fixé, d'un commun accord, par le Makhzen et le Corps Diplomatique à Tanger.

ARTICLE 60.

Conformément au droit qui leur a été reconnu par l'article 11 de la Convention de Madrid, les étrangers pourront acquérir des propriétés dans toute l'étendue de l'Empire Chérifien et Sa Majesté le Sultan donnera aux autorités administratives et judiciaires les instructions nécessaires pour que l'autorisation de passer les actes ne soit pas refusée sans motif légitime. Quant aux transmissions ultérieures par actes entre vifs ou après décès, elles continueront à s'exercer sans aucune entrave.

Dans les ports ouverts au commerce et dans un rayon de dix kilomètres autour de ces ports, Sa Majesté le Sultan accorde, d'une façon générale, et sans qu'il soit désormais nécessaire de l'obtenir spécialement pour chaque achat de propriété par les étrangers, le consentement exigé par l'article 11 de la Convention de Madrid.

A Ksar el Kebir, Arzila, Azemmour et, éventuellement, dans d'autres localités du littoral ou de l'intérieur, l'autorisation générale ci-dessus mentionnée est également accordée aux étrangers, mais seulement pour les acquisitions dans un rayon de deux kilomètres autour de ces villes.

Partout où les étrangers auront acquis des propriétés, ils pourront élever des constructions en se conformant aux règlements et usages.

Avant d'autoriser la rédaction des actes transmissifs de propriété, le Cadi devra s'assurer, conformément à la loi musulmane, de la régularité des titres.

Le Makhzen désignera, dans chacune des villes et circonscriptions indiquées au présent article, le Cadi qui sera chargé d'effectuer ces vérifications.

ARTICLE 61.

Dans le but de créer de nouvelles ressources au Makhzen, la Conférence reconnaît, en principe, qu'une taxe pourra être établie sur les constructions urbaines.

Une partie des recettes ainsi réalisées sera affectée aux besoins de la voirie et de l'hygiène municipales et, d'une façon générale, aux dépenses d'amélioration et d'entretien des villes.

La taxe sera due par le propriétaire marocain ou étranger sans aucune distinction ; mais le locataire ou le détenteur de la clef en sera responsable envers le Trésor marocain.

Un règlement édicté, d'un commun accord, par le Gouvernement chérifien et le Corps Diplomatique à Tanger, fixera le taux de la taxe, son mode de perception et d'application et déterminera la quotité des ressources ainsi créées qui devra être affectée aux dépenses d'amélioration et d'entretien des villes.

A Tanger, cette quotité sera versée au Conseil sanitaire international, qui en règlera l'emploi jusqu'à la création d'une organisation municipale.

ARTICLE 62.

Sa Majesté Chérifienne, ayant décidé en 1901 que les fonctionnaires marocains, chargés de la perception des impôts agricoles, ne recevraient plus des populations ni *sokhra* ni *mouna*, la Conférence estime que cette règle devra être généralisée autant que possible.

ARTICLE 63.

Les Délégués chérifiens ont exposé que des biens habous ou certaines propriétés domaniales, notamment des immeubles du Makhzen, occupés contre paiement de la redevance de six pour cent, sont détenus par des ressortissants étrangers, sans titres réguliers ou en vertu de contrats sujets à révision. La Conférence, désireuse de remédier à cet état de choses, charge le Corps Diplomatique à Tanger de donner une solution équitable à ces deux questions, d'accord avec le Commissaire spécial que Sa Majesté Chérifienne voudra bien désigner à cet effet.

ARTICLE 64.

La Conférence prend acte des propositions formulées par les Délégués chérifiens au sujet de la création de taxes sur certains commerces, industries et professions.

Si, à la suite de l'application de ces taxes aux sujets marocains, le Corps Diplomatique à Tanger estimait qu'il y a lieu de les étendre aux ressortissants étrangers, il est dès à présent spécifié que les dites taxes seront exclusivement municipales.

ARTICLE 65.

La Conférence se rallie à la proposition faite par la Délégation marocaine d'établir avec l'assistance du Corps Diplomatique :

(a) un droit de timbre sur les contrats et actes authentiques passés devant les adoul ;

(b) un droit de mutation, au maximum de deux pour cent, sur les ventes immobilières ;

(c) un droit de statistique et de pesage, au maximum de un pour cent *ad valorem*, sur les marchandises transportées par cabotage ;

(d) un droit de passeport à percevoir sur les sujets marocains ;

(e) éventuellement, des droits de quais et de phares dont le produit devra être affecté à l'amélioration des ports.

ARTICLE 66.

A titre temporaire, les marchandises d'origine étrangère seront frappées à leur entrée au Maroc d'une taxe spéciale s'élevant à deux et demi pour cent *ad valorem*. Le produit intégral de cette taxe formera un fonds spécial qui sera affecté aux dépenses et à l'exécution de travaux publics, destinés au développement de la navigation et du commerce en général dans l'Empire chérifien.

Le programme des travaux et leur ordre de priorité seront arrêtés, d'un commun accord, par le Gouvernement chérifien et par le Corps Diplomatique à Tanger.

Les études, devis, projets et cahiers des charges s'y rapportant seront établis par un ingénieur compétent nommé par le Gouvernement chérifien d'accord avec le Corps Diplomatique. Cet ingénieur pourra, au besoin, être assisté d'un ou plusieurs ingénieurs adjoints. Leur traitement sera imputé sur les fonds de la caisse spéciale.

Les fonds de la caisse spéciale seront déposés à la Banque d'État du Maroc qui en tiendra la comptabilité.

Les adjudications publiques seront passées dans les formes et suivant les conditions générales prescrites par un Règlement que le Corps Diplomatique à Tanger est chargé d'établir avec le Représentant de Sa Majesté Chérifienne.

Le bureau d'adjudication sera composé d'un représentant du Gouvernement chérifien, de cinq délégués du Corps Diplomatique et de l'ingénieur.

L'adjudication sera prononcée en faveur du soumissionnaire qui, en se conformant aux prescriptions du cahier des charges, présentera l'offre remplissant les conditions générales les plus avantageuses.

En ce qui concerne les sommes provenant de la taxe spéciale et qui seraient perçues dans les bureaux de douane établis dans les régions visées par l'article 103 du Règlement sur les douanes, leur emploi sera réglé par le Makhzen avec l'agrément de la Puissance limitrophe, conformément aux prescriptions du présent article.

ARTICLE 67.

La Conférence, sous réserve des observations présentées à ce sujet, émet le vœu que les droits d'exportation des marchandises ci-après soient réduits de la manière suivante :—

Pois chiches	...	...	...	20 pour 100
Maïs	...	...	...	20 " 100
Orge	...	...	...	50 " 100
Blé	...	...	...	34 " 100

ARTICLE 68.

Sa Majesté Chérifienne consentira à élever à dix mille le chiffre de six mille têtes de bétail de l'espèce bovine que chaque

Puissance aura le droit d'exporter du Maroc. L'exportation pourra avoir lieu par tous les bureaux de douane. Si, par suite de circonstances malheureuses, une pénurie de bétail était constatée dans une région déterminée, Sa Majesté Chérifienne pourrait interdire temporairement la sortie du bétail par le port, ou les ports qui desservent cette région. Cette mesure ne devra pas excéder une durée de deux années ; elle ne pourra pas être appliquée à la fois à tous les ports de l'Empire.

Il est d'ailleurs entendu que les dispositions précédentes ne modifient pas les autres conditions de l'exportation du bétail fixées par les firmans antérieurs.

La Conférence émet, en outre, le vœu qu'un service d'inspection vétérinaire soit organisé au plus tôt dans les ports de la côte.

ARTICLE 69.

Conformément aux décisions antérieures de Sa Majesté Chérifienne et notamment à la décision du 28 septembre 1901, est autorisé entre tous les ports de l'Empire le transport par cabotage des céréales, graines, légumes, œufs, fruits, volailles, et, en général des marchandises et animaux de toute espèce, originaires ou non du Maroc, à l'exception des chevaux, mulets, ânes et chameaux pour lesquels un permis spécial du Makhzen sera nécessaire. Le cabotage pourra être effectué par des bateaux de toute nationalité, sans que les dits articles aient à payer les droits d'exportation, mais en se conformant aux droits spéciaux et aux règlements sur la matière.

ARTICLE 70.

Le taux des droits de stationnement ou d'ancrage imposés aux navires dans les ports marocains se trouvant fixé par des traités passés avec certaines Puissances, ces Puissances se montrent disposées à consentir la revision des dits droits. Le Corps Diplomatique à Tanger est chargé d'établir, d'accord avec le Makhzen, les conditions de la revision qui ne pourra avoir lieu qu'après l'amélioration des ports.

ARTICLE 71.

Les droits de magasinage en douane seront perçus dans tous les ports marocains où il existera des entrepôts suffisants, conformément aux règlements pris ou à prendre sur la matière par le Gouvernement de Sa Majesté Chérifienne, d'accord avec le Corps Diplomatique à Tanger.

ARTICLE 72.

L'opium et le kif continueront à faire l'objet d'un monopole au profit du Gouvernement chérifien. Néanmoins, l'importation de

l'opium spécialement destiné à des emplois pharmaceutiques sera autorisée par permis spécial, délivré par le Makhzen, sur la demande de la Légation dont relève le pharmacien ou médecin importateur. Le Gouvernement Chérifien et le Corps Diplomatique régleront, d'un commun accord, la quantité maxima à introduire.

ARTICLE 73.

Les Représentants des Puissances prennent acte de l'intention du Gouvernement chérifien d'étendre aux tabacs de toutes sortes le monopole existant en ce qui concerne le tabac à priser. Ils réservent le droit de leurs ressortissants à être dûment indemnisés des préjudices que le dit monopole pourrait occasionner à ceux d'entre eux qui auraient des industries créées sous le régime actuel concernant le tabac. A défaut d'entente amiable, l'indemnité sera fixée par des experts désignés par le Makhzen et par le Corps Diplomatique, en se conformant aux dispositions arrêtées en matière d'expropriation pour cause d'utilité publique.

ARTICLE 74.

Le principe de l'adjudication, sans acception de nationalité, sera appliqué aux fermes concernant le monopole de l'opium et du kif. Il en serait de même pour le monopole du tabac, s'il était établi.

ARTICLE 75.

Au cas où il y aurait lieu de modifier quelque'une des dispositions de la présente déclaration, une entente devra s'établir à ce sujet entre le Makhzen et le Corps Diplomatique à Tanger.

ARTICLE 76.

Dans tous les cas prévus par la présente déclaration, où le Corps Diplomatique sera appelé à intervenir, sauf en ce qui concerne les Articles 64, 70, et 75, les décisions seront prises à la majorité des voix.

CHAPITRE V.—*Règlement sur les Douanes de l'Empire et la Répression de la Fraude et de la Contrebande.*

ARTICLE 77.

Tout capitaine de navire de commerce, venant de l'étranger ou, du Maroc, devra, dans les vingt-quatre heures de son admission en libre pratique dans un des ports de l'Empire, déposer au bureau de

douane une copie exacte de son manifeste, signée par lui et certifiée conforme par le consignataire du navire. Il devra, en outre, s'il en est requis, donner communication aux agents de la douane de l'original de son manifeste.

La douane aura la faculté d'installer à bord un ou plusieurs gardiens pour prévenir tout trafic illégal.

ARTICLE 78.

Sont exempts du dépôt du manifeste :

1°. Les bâtiments de guerre ou affrétés pour le compte d'une Puissance ;

2°. Les canots appartenant à des particuliers, qui s'en servent pour leur usage, en s'abstenant de tout transport de marchandises ;

3°. Les bateaux ou embarcations employés à la pêche en vue des côtes ;

4°. Les yachts uniquement employés à la navigation de plaisance et enregistrés au port d'attache dans cette catégorie ;

5°. Les navires chargés spécialement de la pose et de la réparation des câbles télégraphiques ;

6°. Les bateaux uniquement affectés au sauvetage ;

7°. Les bâtiments hospitaliers ;

8°. Les navires-écoles de la marine marchande, ne se livrant pas à des opérations commerciales.

ARTICLE 79.

Le manifeste, déposé à la douane, devra annoncer la nature et la provenance de la cargaison avec les marques et numéros des caisses, balles, ballots, barriques, &c.

ARTICLE 80.

Quand il y aura des indices sérieux faisant soupçonner l'inexactitude du manifeste, ou quand le capitaine du navire refusera de se prêter à la visite et aux vérifications des agents de la douane, le cas sera signalé à l'autorité consulaire compétente afin que celle-ci procède avec un délégué de la douane chérifienne, aux enquêtes, visites et vérifications qu'elle jugera nécessaires.

ARTICLE 81.

Si, à l'expiration du délai de vingt-quatre heures indiqué à l'article 77, le capitaine n'a pas déposé son manifeste, il sera passible, à moins que le retard ne provienne d'un cas de force majeure, d'une amende de cent cinquante pesetas par jour de retard, sans toutefois que cette amende puisse dépasser six cents pesetas. Si le capitaine a présenté frauduleusement un manifeste

inexact ou incomplet, il sera personnellement condamné au paiement d'une somme égale à la valeur des marchandises pour lesquelles il n'a pas produit de manifeste, et à une amende de cinq cents à mille pesetas, et le bâtiment et les marchandises pourront en outre être saisis par l'autorité consulaire compétente pour la sûreté de l'amende.

ARTICLE 82.

Toute personne, au moment de dédouaner les marchandises importées ou destinées à l'exportation, doit faire à la douane une déclaration détaillée, énonçant l'espèce, la qualité, le poids, le nombre, la mesure et la valeur des marchandises, ainsi que l'espèce les marques et les numéros des colis qui les contiennent.

ARTICLE 83.

Dans le cas où, lors de la visite, on trouvera moins de colis ou de marchandises qu'il n'en a été déclaré, le déclarant, à moins qu'il ne puisse justifier de sa bonne foi, devra payer double droit pour les marchandises manquant, et les marchandises présentées seront retenues en douane pour la sûreté de ce double droit; si, au contraire, on trouve à la visite un excédent quant au nombre des colis, à la quantité ou au poids des marchandises, cet excédent sera saisi et confisqué au profit du Makhzen à moins que le déclarant ne puisse justifier de sa bonne foi.

ARTICLE 84.

Si la déclaration a été reconnue inexacte quant à l'espèce ou à la qualité, et si le déclarant ne peut justifier de sa bonne foi, les marchandises inexactement déclarées seront saisies et confisquées au profit du Makhzen par l'autorité compétente.

ARTICLE 85.

Dans le cas où la déclaration serait reconnue inexacte quant à la valeur déclarée et si le déclarant ne peut justifier de sa bonne foi, la douane pourra, soit prélever le droit en nature séance tenante, soit, au cas où la marchandise est indivisible, acquérir la dite marchandise, en payant immédiatement au déclarant la valeur déclarée, augmentée de cinq pour cent.

ARTICLE 86.

Si la déclaration est reconnue fausse quant à la nature des marchandises, celles-ci seront considérées comme n'ayant pas été déclarées et l'infraction tombera sous l'application des articles 88 et 90 ci-après et sera punie des peines prévues aux dits articles.

ARTICLE 87.

Toute tentative ou tout flagrant délit d'introduction, toute tentative ou tout flagrant délit d'exportation en contrebande de marchandises soumises au droit, soit par mer, soit par terre, seront passibles de la confiscation des marchandises, sans préjudice des peines et amendes ci-dessous qui seront prononcées par la juridiction compétente.

Seront en outre saisis et confisqués les moyens de transport par terre dans le cas où la contrebande constituera la partie principale du chargement.

ARTICLE 88.

Toute tentative ou tout flagrant délit d'introduction, toute tentative ou tout flagrant délit d'exportation en contrebande par un port ouvert au commerce ou par un bureau de douane, seront punis d'une amende ne dépassant pas le triple de la valeur des marchandises, objet de la fraude, et d'un emprisonnement de cinq jours à six mois, ou de l'une des deux peines seulement.

ARTICLE 89.

Toute tentative ou tout flagrant délit d'introduction, toute tentative ou tout flagrant délit d'exportation, en dehors d'un port ouvert au commerce ou d'un bureau de douane, seront punis d'une amende de trois cents à cinq cents pesetas et d'une amende supplémentaire égale à trois fois la valeur de la marchandise ou d'un emprisonnement d'un mois à un an.

ARTICLE 90.

Les complices des délits prévus aux articles 88 et 89 seront passibles des mêmes peines que les auteurs principaux. Les éléments caractérisant la complicité seront appréciés d'après la législation du tribunal saisi.

ARTICLE 91.

En cas de tentative ou flagrant délit d'importation, de tentative ou flagrant délit d'exportation de marchandises par un navire en dehors d'un port ouvert au commerce, la douane marocaine pourra amener le navire au port le plus proche pour être remis à l'autorité consulaire, laquelle pourra le saisir et maintenir la saisie jusqu'à ce qu'il ait acquitté le montant des condamnations prononcées.

La saisie du navire devra être levée, en tout état de l'instance, en tant que cette mesure n'entravera pas l'instruction judiciaire, sur consignation du montant maximum de l'amende entre les mains de l'autorité consulaire ou sous caution solvable de la payer acceptée par la douane.

ARTICLE 92.

Les dispositions des articles précédents seront applicables à la navigation de cabotage.

ARTICLE 93.

Les marchandises, non soumises aux droits d'exportation, embarquées dans un port marocain pour être transportées par mer dans un autre port de l'Empire, devront être accompagnées d'un certificat de sortie délivré par la douane, sous peine d'être assujetties au paiement du droit d'importation et même confisquées si elles ne figuraient pas au manifeste.

ARTICLE 94.

Le transport par cabotage des produits soumis aux droits d'exportation ne pourra s'effectuer qu'en consignnant au bureau de départ, contre quittance, le montant des droits d'exportation relatifs à ces marchandises.

Cette consignation sera remboursée au déposant par le bureau où elle a été effectuée, sur production d'une déclaration revêtue par la douane de la mention d'arrivée de la marchandise et de la quittance constatant le dépôt des droits. Les pièces justificatives de l'arrivée de la marchandise devront être produites dans les trois mois de l'expédition. Passé ce délai, à moins que le retard ne provienne d'un cas de force majeure, la somme consignée deviendra la propriété du Makhzen.

ARTICLE 95.

Les droits d'entrée et de sortie seront payés au comptant au bureau de douane où la liquidation aura été effectuée. Les droits *ad valorem* seront liquidés suivant la valeur au comptant et en gros de la marchandise rendue au bureau de douane, et franche de droits de douane et de magasinage. En cas d'avaries, il sera tenu compte, dans l'estimation, de la dépréciation subie par la marchandise. Les marchandises ne pourront être retirées qu'après le paiement des droits de douane et de magasinage.

Toute prise en charge ou perception devra faire l'objet d'un récépissé régulier, délivré par l'agent chargé de l'opération.

ARTICLE 96.

La valeur des principales marchandises taxées par les Douanes marocaines sera déterminée chaque année, dans les conditions

spécifiées à l'article précédent, par une Commission des valeurs douanières, réunie à Tanger et composée de :

- 1°. Trois membres désignés par le Gouvernement marocain,
- 2°. Trois membres désignés par le Corps Diplomatique à Tanger,
- 3°. Un délégué de la Banque d'État,
- 4°. Un agent de la Délégation de l'Emprunt marocain $5\frac{5}{8}$, 1904.

La Commission nommera douze à vingt membres honoraires domiciliés au Maroc, qu'elle consultera quand il s'agira de fixer les valeurs et toutes les fois qu'elle le jugera utile. Ces membres honoraires seront choisis sur les listes des notables, établies par chaque Légation pour les étrangers et par le Représentant du Sultan pour les marocains. Ils seront désignés, autant que possible, proportionnellement à l'importance du commerce de chaque nation.

La Commission sera nommée pour trois années.

Le tarif des valeurs fixées par elle servira de base aux estimations qui seront faites dans chaque bureau par l'administration des douanes marocaines. Il sera affiché dans les bureaux de douane et dans les chancelleries des Légations ou des Consulats à Tanger.

Le tarif sera susceptible d'être révisé au bout de six mois, si des modifications notables sont survenues dans la valeur de certaines marchandises.

ARTICLE 97.

Un Comité permanent, dit "Comité des douanes," est institué à Tanger et nommé pour trois années. Il sera composé d'un Commissaire spécial de Sa Majesté Chérifienne, d'un membre du Corps Diplomatique ou Consulaire désigné par le Corp Diplomatique à Tanger, et d'un délégué de la Banque d'État. Il pourra s'adjoindre, à titre consultatif, un ou plusieurs représentants du service des Douanes.

Ce Comité exercera sa haute surveillance sur le fonctionnement des Douanes et pourra proposer à Sa Majesté Chérifienne les mesures qui seraient propres à apporter des améliorations dans le service et à assurer la régularité et le contrôle des opérations et perceptions (débarquements, embarquements, transport à terre, manipulations, entrées et sorties des marchandises, magasinage, estimation, liquidation et perception des taxes). Par la création du "Comité des douanes," il ne sera porté aucune atteinte aux droits stipulés en faveur des porteurs de titres par les articles 15 et 16 du Contrat d'emprunt du 12 Juin 1904.

Des instructions, élaborées par le Comité des douanes et les services intéressés, détermineront les détails de l'application de l'article 96 et du présent article. Elles seront soumises à l'avis du Corps Diplomatique.

ARTICLE 98.

Dans les douanes où il existe des magasins suffisants, le service de la douane prend en charge les marchandises débarquées à partir du moment où elles sont remises, contre récépissé, par le capitaine du bateau aux agents préposés à l'acconage jusqu'au moment où elles sont régulièrement dédouanées. Il est responsable des dommages causés par les pertes ou avaries de marchandise qui sont imputables à la faute ou à la négligence de ses agents. Il n'est pas responsable des avaries résultant soit du dépérissement naturel de la marchandise, soit de son trop long séjour en magasin, soit des cas de force majeure.

Dans les douanes où il n'y a pas de magasins suffisants, les agents du Makhzen sont seulement tenus d'employer les moyens de préservation dont dispose le bureau de la douane.

Une revision du Règlement de magasinage, actuellement en vigueur, sera effectuée par les soins du Corps Diplomatique statuant à la majorité, de concert avec le Gouvernement chérifien.

ARTICLE 99.

Les marchandises et les moyens de transport à terre confisqués seront vendus par les soins de la douane, dans un délai de huit jours à partir du jugement définitif rendu par le tribunal compétent.

ARTICLE 100.

Le produit net de la vente des marchandises et objets confisqués est acquis définitivement à l'État; celui des amendes pécuniaires, ainsi que le montant des transactions, seront, après déduction des frais de toute nature, répartis entre le Trésor chérifien et ceux qui auront participé à la répression de la fraude ou de la contrebande.

Un tiers à répartir par la douane entre les indicateurs,

Un tiers aux agents ayant saisi la marchandise,

Un tiers au Trésor marocain.

Si la saisie a été opérée sans l'intervention d'un indicateur, la moitié des amendes sera attribuée aux agents saisissants et l'autre moitié au Trésor marocain.

ARTICLE 101.

Les autorités douanières marocaines devront signaler directement aux agents diplomatiques ou consulaires les infractions au présent règlement commises par leurs ressortissants, afin que ceux-ci soient poursuivis devant la juridiction compétente.

Les mêmes infractions, commises par des sujets marocains, seront déferées directement par la douane à l'autorité chérifienne.

Un délégué de la douane sera chargé de suivre la procédure des affaires pendantes devant les diverses juridictions.

ARTICLE 102.

Toute confiscation, amende, ou pénalité devra être prononcée pour les étrangers par la juridiction consulaire et pour les sujets marocains par la juridiction chérifienne.

ARTICLE 103.

Dans la région frontière de l'Algérie, l'application du présent règlement restera l'affaire exclusive de la France et du Maroc.

De même, l'application de ce règlement dans le Riff, et, en général, dans les régions frontières des Possessions espagnoles, restera l'affaire exclusive de l'Espagne et du Maroc.

ARTICLE 104.

Les dispositions du présent règlement, autres que celles qui s'appliquent aux pénalités, pourront être revisées par le Corps Diplomatique à Tanger, statuant à l'unanimité des voix, et d'accord avec le Makhzen, à l'expiration d'un délai de deux ans à dater de son entrée en vigueur.

CHAPITRE VI.—*Déclaration relative aux Services Publics et aux Travaux Publics.*

ARTICLE 105.

En vue d'assurer l'application du principe de la liberté économique sans aucune inégalité, les Puissances signataires déclarent qu'aucun des services publics de l'Empire Chérifien ne pourra être aliéné au profit d'intérêts particuliers.

ARTICLE 106.

Dans le cas où le Gouvernement chérifien croirait devoir faire appel aux capitaux étrangers ou à l'industrie étrangère pour l'exploitation de services publics ou pour l'exécution de travaux publics, routes, chemins de fer, ports, télégraphes et autres, les Puissances signataires se réservent de veiller à ce que l'autorité de l'État sur ces grandes entreprises d'intérêt général demeure entière.

ARTICLE 107.

La validité des concessions qui seraient faites aux termes de l'article 106 ainsi que pour les fournitures d'État sera subordonnée, dans tout l'Empire chérifien, au principe de l'adjudication publique,

sans acception de nationalité, pour toutes les matières qui, conformément aux règles suivies dans les législations étrangères, en comportent l'application.

ARTICLE 108.

Le Gouvernement chérifien, dès qu'il aura décidé de procéder par voie d'adjudication à l'exécution des travaux publics, en fera part au Corps Diplomatique ; il lui communiquera, par la suite, les cahiers des charges, plans, et tous les documents annexés au projet d'adjudication, de manière que les nationaux de toutes les Puissances signataires puissent se rendre compte des travaux projetés et être à même d'y concourir. Un délai suffisant sera fixé à cet effet par l'avis d'adjudication.

ARTICLE 109.

Le cahier des charges ne devra contenir, ni directement ni indirectement, aucune condition ou disposition qui puisse porter atteinte à la libre concurrence et mettre en état d'infériorité les concurrents d'une nationalité vis-à-vis des concurrents d'une autre nationalité.

ARTICLE 110.

Les adjudications seront passées dans les formes et suivant les conditions générales prescrites par un règlement que le Gouvernement chérifien arrêtera avec l'assistance du Corps Diplomatique.

L'adjudication sera prononcée par le Gouvernement chérifien en faveur du soumissionnaire qui, en se conformant aux prescriptions du cahier des charges, présentera l'offre remplissant les conditions générales les plus avantageuses.

ARTICLE 111.

Les règles des articles 106 à 110 seront appliquées aux concessions d'exploitation de forêts de chênes-lièges, conformément aux dispositions en usage dans les législations étrangères.

ARTICLE 112.

Un firman chérifien déterminera les conditions de concession et d'exploitation des mines, minières et carrières. Dans l'élaboration de ce firman, le Gouvernement chérifien s'inspirera des législations étrangères existant sur la matière.

ARTICLE 113.

Si, dans les cas mentionnés aux articles 106 à 112, il était nécessaire d'occuper certains immeubles, il pourra être procédé à

leur expropriation moyennant le versement préalable d'une juste indemnité et conformément aux règles suivantes.

ARTICLE 114.

L'expropriation ne pourra avoir lieu que pour cause d'utilité publique et qu'autant que la nécessité en aura été constatée par une enquête administrative dont un règlement chérifien, élaboré avec l'assistance du Corps Diplomatique, fixera les formalités.

ARTICLE 115.

Si les propriétaires d'immeubles sont sujets marocains, Sa Majesté Chérifienne prendra les mesures nécessaires pour qu'aucun obstacle ne soit apporté à l'exécution des travaux qu'Elle aura déclarés d'utilité publique.

ARTICLE 116.

S'il s'agit de propriétaires étrangers, il sera procédé à l'expropriation de la manière suivante :

En cas de désaccord entre l'administration compétente et le propriétaire de l'immeuble à exproprier, l'indemnité sera fixée par un jury spécial, ou, s'il y a lieu, par arbitrage.

ARTICLE 117.

Ce jury sera composé de six experts estimateurs, choisis trois par le propriétaire, trois par l'administration qui poursuivra l'expropriation. L'avis de la majorité absolue prévaudra.

S'il ne peut se former de majorité, le propriétaire et l'administration nommeront chacun un arbitre et ces deux arbitres désigneront le tiers arbitre.

A défaut d'entente pour la désignation du tiers arbitre, ce dernier sera nommé par le Corps Diplomatique à Tanger.

ARTICLE 118.

Les arbitres devront être choisis sur une liste établie au début de l'année par le Corps Diplomatique et, autant que possible, parmi les experts ne résidant pas dans la localité où s'exécute le travail.

ARTICLE 119.

Le propriétaire pourra faire appel de la décision rendue par les arbitres, devant la juridiction compétente, et conformément aux règles fixées en matière d'arbitrage par la législation à laquelle il ressortit.

CHAPITRE VII.—*Dispositions Générales.*

ARTICLE 120.

En vue de mettre, s'il y a lieu, sa législation en harmonie avec les engagements contractés par le présent Acte Général, chacune des Puissances signataires s'oblige à provoquer, en ce qui la concerne, l'adoption des mesures législatives qui seraient nécessaires.

ARTICLE 121.

Le présent Acte Général sera ratifié suivant les lois constitutionnelles particulières à chaque État ; les ratifications seront déposées à Madrid le plus tôt que faire se pourra, et au plus tard le trente et un Décembre mille neuf cent six.

Il sera dressé du dépôt un procès-verbal dont une copie certifiée conforme sera remise aux Puissances signataires par la voie diplomatique.

ARTICLE 122.

Le présent Acte Général entrera en vigueur le jour où toutes les ratifications auront été déposées, et au plus tard le trente et un Décembre mille neuf cent six.

Au cas où les mesures législatives spéciales qui dans certains pays seraient nécessaires pour assurer l'application à leurs nationaux résidant au Maroc de quelques-unes des stipulations du présent Acte Général, n'auraient pas été adoptées avant la date fixée pour la ratification, ces stipulations ne deviendraient applicables, en ce qui les concerne, qu'après que les mesures législatives ci-dessus visées auraient été promulguées.

ARTICLE 123 ET DERNIER.

Tous les traités, conventions et arrangements des Puissances signataires avec le Maroc restent en vigueur. Toutefois, il est entendu qu'en cas de conflit entre leurs dispositions et celles du présent Acte Général, les stipulations de ce dernier prévauront.

En foi de quoi, les Délégués Plénipotentiaires ont signé le présent Acte Général et y ont apposé leur cachet.

Fait à Algéirais le septième jour d'Avril mille neuf cent six, en un seul exemplaire qui restera déposé dans les archives du Gouvernement de Sa Majesté Catholique et dont des copies certifiées conformes seront remises par la voie diplomatique aux Puissances signataires.

Pour la Grande-Bretagne :

(L.S.) A. NICOLSON.

Pour l'Allemagne :

(L.S.) RADOWITZ.
(L.S.) TATTENBACH.

Pour l'Autriche-Hongrie :

(L.S.) WELSERSHEIMB.
(L.S.) BOLESTA-KOZIEBRODZKI.

Pour la Belgique :

(L.S.) JOOSTENS.
(L.S.) Comte CONRAD DE BUISSET.

Pour l'Espagne :

(L.S.) El Duque DE ALMODÓVAR DEL RIO.
(L.S.) J. PÉREZ-CABALLERO.

Pour les États-Unis d'Amérique

(Sous réserve de la déclaration faite en séance plénière
de la Conférence le 7 Avril, 1906) :

(L.S.) HENRY WHITE.
(L.S.) SAMUEL R. GUMMERÉ.

Pour la France :

(L.S.) RÉVOIL.
(L.S.) REGNAULT.

Pour l'Italie :

(L.S.) VISCONTI VENOSTA.
(L.S.) G. MALMUSI.

Pour le Maroc : *

Pour les Pays-Bas :

(L.S.) H. TESTA.

Pour le Portugal :

(L.S.) Conde DE TOVAR.
(L.S.) Conde DE MARTENS FERRAO.

* See Imperial Decree on p. 444.

Pour la Russie :

(L.S.) CASSINI.

(L.S.) BASILE BACHERACHT.

Pour la Suède :

(L.S.) ROBERT SAGER.

PROTOCOLE ADDITIONNEL.

Au moment de procéder à la signature de l'Acte général de la Conférence d'Algéciras, les Délégués de la Grande-Bretagne, d'Allemagne, d'Autriche-Hongrie, de Belgique, d'Espagne, des États-Unis d'Amérique, de France, d'Italie, des Pays-Bas, de Portugal, de Russie et de Suède,

Tenant compte de ce que les Délégués du Maroc ont déclaré ne pas être en mesure pour le moment, d'y apposer leur signature, l'éloignement ne leur permettant pas d'obtenir à bref délai la réponse de Sa Majesté Chérifienne concernant les points au sujet desquels ils ont cru devoir Lui en référer,

S'engagent réciproquement, en vertu de leurs mêmes pleins pouvoirs, à unir leurs efforts, en vue de la ratification intégrale par Sa Majesté Chérifienne du dit Acte Général et en vue de la mise en vigueur simultanée des réformes qui y sont prévues et qui sont solidaires les unes des autres.

Ils conviennent, en conséquence, de charger Son Excellence M. Malmusi, Ministre d'Italie au Maroc et Doyen du Corps Diplomatique à Tanger, de faire les démarches nécessaires à cet effet, en appelant l'attention de Sa Majesté le Sultan sur les grands avantages qui résulteront pour Son Empire des stipulations adoptées à la Conférence par l'unanimité des Puissances signataires.

L'adhésion donnée par Sa Majesté Chérifienne à l'Acte Général de la Conférence d'Algéciras devra être communiquée, par l'intermédiaire du Gouvernement de Sa Majesté Catholique, aux Gouvernements des autres Puissances signataires. Cette adhésion aura la même force que si les Délégués du Maroc eussent apposé leur signature sur l'Acte Général et tiendra lieu de ratification par Sa Majesté Chérifienne.

En foi de quoi, les Délégués de la Grande-Bretagne, d'Allemagne, d'Autriche-Hongrie, de Belgique, d'Espagne, des États-Unis d'Amérique, de France, d'Italie, des Pays-Bas, de Portugal, de Russie et de Suède, ont signé le présent Protocole additionnel et y ont apposé leur cachet.

Fait à Algéciras, le septième jour d'Avril, mille neuf cent six, en un seul exemplaire qui restera déposé dans les archives du

Gouvernement de Sa Majesté Catholique et dont des copies, certifiées conformes, seront remises, par la voie diplomatique, aux Puissances signataires.

Pour la Grande-Bretagne :

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Pour la Belgique :

(L.S.) JOOSTENS.

(L.S.) Comte CONRAD DE BUISSERET.

Pour l'Espagne :

(L.S.) El Duque DE ALMODÓVAR DEL RIO.

(L.S.) J. PÉREZ-CABALLERO.

Pour les États-Unis d'Amérique :

(Sous réserve de la déclaration faite en séance plénière de la Conférence le 7 Avril, 1906) :

(L.S.) HENRY WHITE.

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Pour la Russie :

(L.S.) CASSINI.

(L.S.) BASILE BACHERACHT.

Pour la Suède :

(L.S.) ROBERT SAGER.

DECLARATION BY THE UNITED STATES' DELEGATE, APRIL 7, 1906.

LE Gouvernement des États-Unis d'Amérique, n'ayant pas d'intérêts politiques au Maroc, et n'ayant été, en prenant part à cette Conférence, animé de désirs et intentions autres que de contribuer à assurer à toutes les nations l'égalité la plus étendue au Maroc en matière de commerce, de traitement et de prérogatives, et d'y faciliter l'introduction de réformes dont le résultat serait un bien-être général basé sur une cordialité complète de relations extérieures et une stabilité administrative intérieure, déclare : qu'en s'associant aux Règlements et Déclarations de la Conférence par la signature de l'Acte Général, sous réserve de ratification en conformité avec les lois constitutionnelles, et du Protocol Additionnel, et en acceptant leur application aux citoyens et aux intérêts Américains au Maroc, il ne prend sur lui aucune obligation ou responsabilité par rapport aux mesures qui pourraient être nécessaires pour la mise à exécution des dits Règlements et Déclarations.

IMPERIAL DECREE RATIFYING THE GENERAL ACT OF THE INTERNATIONAL CONFERENCE AT ALGECIRAS.

(Literal translation.)

Gloire à Dieu Unique : Son règne seul est éternel.

(Sceau du Sultan Abdulaziz-ben-Hassan.)

PAR le présent Édit nous faisons savoir que nous avons lu ce qui a été élaboré par nos Délégués Chérifiens et les Délégués des Grandes et Hautes Puissances amies dans les séances de la Conférence réunie dans la ville d'Algéciras en l'année 1324 de l'Hégire, correspondant à l'année 1906 de l'ère Chrétienne, pour examiner les réformes (à introduire) dans cet Empire Moghrebin, basées, en premier lieu, sur trois principes, à savoir : maintien de notre souveraineté [*dans le teate* : de nos droits souverains], de l'indépendance de notre Empire susdit et de la liberté économique en fait d'œuvres publiques. Ensuite, les réformes qui, basées sur les principes susdits, ont été résumées en sept chapitres, qui sont :—

1. Déclaration relative à l'organisation de la police dans les ports de notre Empire ouverts (au commerce).

2. Règlement concernant la surveillance et la répression de la contrebande des armes dans le territoire de cet Empire.

3. Acte de concession d'une banque au nom du Gouvernement Marocain.

4. Déclaration concernant un meilleur rendement des impôts existant et la création de nouveaux revenus.

5. Règlement sur les douanes de l'Empire et la répression de la fraude et de la contrebande.

6. Règlement concernant les moyens d'exécuter les travaux publics.

7. Dispositions générales pour la ratification et l'exécution de l'Acte Général.

Chacun de ces chapitres comprend un nombre d'Articles, en tout 123 Articles.

Après avoir examiné l'Acte qui consolide les Articles susdits et qui porte la date du 12 Safar de l'année courante, correspondant au 7 Avril, 1906, et après nous être pénétrés de ce même Acte, du commencement à la fin, nous avons pris la détermination Chérifienne de l'approuver, de le ratifier, de l'accepter et de l'exécuter entièrement.

Ainsi donné par notre ordre, fort et puissant par la volonté de Dieu, le 26^e jour de Rabi' II, 1324, correspondant au 18 Juin, 1906, de l'ère Chrétienne.

Pour traduction certifiée conforme,

Le Vice-Consul, Interprète de la Légation d'Italie,

(Signé) A. M. LAREDO.

Fez, le 18 Juin, 1906.

GERMANY.

No. 81.

DECLARATION FOR THE ADMISSION DUTY FREE INTO GREAT
BRITAIN AND THE ZOLLVEREIN, OF PATTERNS AND SAMPLES
IMPORTED BY COMMERCIAL TRAVELLERS.

[*Signed at Berlin, April 1, 1869.**]

Declaration.

THE Undersigned, Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary to the North German Confederation, and the President of the Federal Office, in the name of the Presidency of the German Customs and Commercial Union, being duly authorized to that effect, hereby declare that articles liable to duty, serving as patterns and samples, which are introduced into Great Britain by commercial travellers of the Zollverein States, or into the Zollverein by commercial travellers of Great Britain, shall henceforth be admitted free of duty, subject to the following formalities requisite to insure their being re-exported or placed in bond:—

1. The officers of Customs at any port or place at which the patterns and samples may be imported, shall ascertain the amount of duty chargeable thereon.

That amount must either be deposited by the commercial traveller at the Custom-house in money, or ample security must be given for it.

2. For the purpose of identification each separate pattern or sample will, as far as possible, be marked, free of expense, by the affixing of a stamp, or by means of a seal, or leaden seal, being attached to it.

3. A permit or certificate shall be given to the importer which shall contain—

(a.) A list of the patterns or samples imported, specifying the nature of the goods, and also such particular marks as may be proper for the purpose of identification;

* Signed also in German.

(b.) A statement of the duty chargeable on the patterns or samples, as also whether the amount was deposited in money, or whether security was given for it;

(c.) A statement relative to the manner in which the patterns or samples were marked;

(d.) The appointment of a period, which at the utmost must not exceed twelve months, at the expiration of which, unless it is proved that the patterns or samples have been previously re-exported or placed in bond, the amount of duty deposited will be carried to the public account, or the amount recovered under the security given.

4. Patterns or samples may also be re-exported through any other Custom-house than the one through which they were imported.

5. If before the expiration of the appointed time (3, d), the patterns or samples should be presented at the Custom-house of any port or place for the purpose of re-exportation, or being placed in bond, the officers at such port or place must satisfy themselves by examination whether the articles which are brought to them are the same as those for which the permit of entry was granted. If there are no objections in this respect, the officers will certify the re-exportation or deposit in bond, and will refund the duty which had been deposited, or will take the necessary steps for discharging the security.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto the seal of their arms.

Done at Berlin; the 1st day of April, 1869.

(L.S.) AUGUSTUS LOFTUS.
(L.S.) DELBRUCK.

No. 82.

DECLARATION EXCHANGED BETWEEN GREAT BRITAIN AND
GERMANY RELATIVE TO JOINT STOCK COMPANIES.

*Signed at London, March 27, 1874.**

THE Government of Her Majesty the Queen of Great Britain and Ireland, and the Government of His Majesty the Emperor

* Signed also in German.

of Germany, King of Prussia, with a view to the reciprocal regulation in the two countries of the position of Joint Stock Companies, and other commercial, industrial, and financial Associations, have respectively authorized the Right Honourable the Earl of Derby, Baron Stanley of Bickerstaffe, a Peer and a Baronet of England, a Member of Her Majesty's Privy Council, Her Majesty's Principal Secretary of State for Foreign Affairs; and His Excellency George Count Münster, Marshal Hereditary of Hanover, &c., &c., &c., Ambassador Extraordinary and Plenipotentiary of His Majesty the Emperor of Germany, King of Prussia, to Her Britannic Majesty, to agree—

That Joint Stock Companies and other Associations, commercial, industrial, and financial, constituted and authorized in conformity with the laws in force in either of the two countries, may freely exercise in the dominions of the other all their rights, including that of appearing before tribunals, whether for the purpose of bringing an action or for defending themselves, in conformity, however, with the laws and customs in force in the said countries.

That these dispositions shall be applicable as well to Companies and Associations constituted and authorized previously to the signature of this Convention, as to those which may subsequently be so constituted and authorized.

It is agreed that such Companies or Associations constituted in either of the two countries, shall only be admitted to the exercise of their business or trade in the dominions of the other country, if found to be in compliance with the conditions prescribed by the laws of that country.

That the said Convention, made without limits as to duration, may be revoked by either party giving a year's previous notice, and that such modifications may, by common consent, be introduced into it which experience may show to be desirable.

Done at London, in duplicate, the 27th of March, 1874.

(L.S.) DERBY.
(L.S.) MÜNSTER.

No. 83.

ARRANGEMENT BETWEEN GREAT BRITAIN AND GERMANY
RELATIVE TO THEIR RESPECTIVE SPHERES OF ACTION IN
PORTIONS OF AFRICA.

May-June, 1885.

*No differential Treatment.—Duties.—Protection of Persons and
Property—Most-favoured-nation Treatment.**Earl Granville to Count Münster.*

M. l'Ambassadeur,

Foreign Office, May 16, 1885.

DR. KRAUEL, in his recent interviews respecting the arrangement now concluded regarding the Protectorates of Great Britain and Germany on the African coast, stated that it is the wish of the German Government that the settlement of the boundary between the British and German Protectorates on the Gulf of Guinea should be followed by negotiations for a commercial arrangement insuring equality of treatment for the trade of the two countries in the respective Protectorates.

It was pointed out that while Her Majesty's Government fully accepted the principle of equality of treatment, it was premature to negotiate the adoption of formal engagements as the question of the administration of the Protectorates must first be settled. Dr. Krauel urged that at any rate such assurances might be exchanged as might satisfy traders that there would be no differential treatment, and that no excessive duties would be imposed. These assurances Her Majesty's Government have no difficulty in giving, and I have consequently to request your Excellency to convey to the German Government the following expression of their views and intentions;—

Her Majesty's Government cannot at present make any definite declaration as to the limit of duties to be imposed, but they are prepared to give the assurance that those duties will be levied solely for the purpose of meeting the expenses necessary to enable them to carry out the obligations imposed upon them by the Protectorates, and that they will be as moderate as possible.

They are prepared to give every assurance that there shall be no differential treatment of foreigners or foreign goods.

They will be fully prepared to apply to the British Protectorates the provisions of the second paragraph of the Vth Article of the Act of Berlin, which secures protection to the persons and property of foreigners, and to engage that

there shall be no differential treatment of foreigners as to settlement or access to the markets, it being understood that the regulation of these questions must be subject to administrative dispositions in the interests of commerce and of order.

They are ready to undertake that no less than four months' notice shall be given by the local authorities of the adoption of any alteration in the Tariff of duties.

I have to request your Excellency to explain that these assurances are given subject only to the receipt of a reciprocal undertaking from the German Government as regards the German Protectorates, and I shall be glad to learn from your Excellency whether the German Government are prepared to give such an undertaking.

I have, &c.
(Signed) GRANVILLE.

No differential Treatment.—Duties.—Protection of Persons and Property.—Most-favoured-nation Treatment.

Count Münster to Earl Granville.—(Received June 2.)

(Translation.)

My Lord,

German Embassy, London, June 2, 1885.

In your note of the 16th ultimo you communicated to me a résumé of the Rules which the British Government are prepared to observe for the regulation of trade and commerce in the territories on the Gulf of Guinea which are under their protection. You added that the engagement to carry out these Rules was made on the understanding that assurances of a similar nature would be given on the part of the Imperial Government as to the German Protectorates on the Gulf of Guinea.

I did not omit to bring your above-mentioned note to the notice of my Government, and I am now authorized to make the following answer:—

With respect to the promises made by the British Government, the Government of His Majesty the Emperor declares itself ready to make the following engagements with regard to its Protectorates on the Gulf of Guinea:

Customs shall only be raised to such an amount as may be considered sufficient to cover the expenses arising from the taking over of the Protectorate.

The customs rates shall be fixed as low as possible, without, however, being confined to any fixed maximum.

There shall be no differential treatment of British subjects or British goods.

The conditions in section 2 of Article V of the General Act of the Berlin Conference of the 26th February last, which provided for the security of the persons and property of foreigners, shall be applicable to British subjects in German Protectorates; and with the reservation of certain Governmental regulations in the interests of trade and public order, no differential treatment of British subjects with regard to their establishment at or communications with the markets shall take place.

Any changes in the Customs Tariff shall be made known at least four months before their execution by the local authorities.

I have, &c.
(Signed) MÜNSTER.

No differential Treatment.—Duties.—Protection of Persons and Property.—Most-favoured-nation Treatment.

Earl Granville to Baron Plessen.

M. le Baron,

Foreign Office, June 10, 1885.

I HAVE the honour to request that you will be good enough to furnish me with an explanation of the point which is not altogether clear in the note from his Excellency Count Münster of the 2nd instant, on the subject of the commercial relations of Great Britain and Germany in the territories in the Gulf of Guinea under their Protectorate.

In my note of the 16th May I said that Her Majesty's Government would be ready to give every assurance that there should, in the British Protectorate, be no differential treatment of foreigners. I added that they would be prepared to engage that there should be no differential treatment as to settlement or access to the markets, it being understood that the regulation of these questions, as well as of the application of the provisions of Article V of the Act of Berlin, must be subject to administrative dispositions in the interests of commerce and of order.

In Count Münster's reply a corresponding general assurance was given as to differential treatment, and in response to the suggestion as to the additional engagement, the following words are used: "es soll . . . vorbehaltlich gewisser Verwaltungs Vorschriften im Interesse des Handels und der öffentlichen Ordnung, keine ungleiche Behandlung von Englischen Unterthanen in Bezug auf Niederlassung oder Zugang zu den Handelsmärkten gestattet sein." I have the honour to inquire whether the meaning of these words is that the equality of treatment of British subjects as to settlement or access to markets is subject to regulations to be made from time to time; and if this is the meaning, as it doubtless will have arisen

from a misconception of the phrase used in my note, I have to explain that the assurance which it was intended that the two Governments should exchange was that there should be absolute equality of treatment on these points. In making the reservation respecting regulations my object was to let it be understood that foreigners would be subject, equally with British subjects, to such rules as regards settlement and access as the Administration might think proper to impose.

I have, &c.

(Signed) GRANVILLE.

Earl Granville to Sir E. Malet.

Sir,

Foreign Office, June 16, 1885.

BARON VON PLESSEN called to-day and stated that he had been instructed to explain, in reply to my note to Count Münster of the 10th instant, that the passage in his Excellency's note to which I had referred was meant to be a translation of the corresponding passage in my note of the 16th May. He said that he was authorized to state that the German Government understood the assurance given by them in the same sense as that in which Her Majesty's Government interpreted the assurance given on the part of England.

I am, &c.,

(Signed) GRANVILLE.

No. 84.

DECLARATION BETWEEN GREAT BRITAIN AND GERMANY RELATING
TO THE RECIPROCAL FREEDOM OF TRADE AND COMMERCE
IN THE BRITISH AND GERMAN POSSESSIONS AND PROTECTORATES
IN THE WESTERN PACIFIC.

*Signed at Berlin, April 10, 1886.**

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the German Emperor, having resolved to guarantee to each other, so soon as the British and German

* Signed also in German,

spheres of influence in the Western Pacific have been demarcated, reciprocal freedom of trade and commerce in their possessions and Protectorates within the limits specified in the present Declaration, the Undersigned, Sir Edward Baldwin Malet, Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary; and Count Herbert Bismarck, His Imperial Majesty's Under-Secretary of State for Foreign Affairs, having been duly empowered to that effect, have agreed, on behalf of their respective Governments, to make the following Declaration:—

Definition of "Western Pacific."

1. For the purpose of this Declaration the expression "Western Pacific" means that part of the Pacific Ocean lying between the 15th parallel of north latitude and the 30th parallel of south latitude, and between the 165th meridian of longitude west and the 130th meridian of longitude east of Greenwich.

Freedom of Residence.—Acquisition of Property.—Trade.—Freedom of Religious Worship.—Protection and Privileges.—National Treatment.

2. The Government of Her Britannic Majesty and the Government of His Majesty the Emperor agree that the subjects of either State shall be free to resort to all the possessions or Protectorates of the other State in the Western Pacific, and to settle there, and to acquire and to hold all kinds of property, and to engage in all descriptions of trade and professions, and agricultural and industrial undertakings, subject to the same conditions and laws, and enjoying the same religious freedom, and the same protection and privileges, as the subjects of the Sovereign or Protecting State.

Vessels.—Most-favoured-nation and National Treatment.—Imports.—Most-favoured-nation Treatment.

3. In all the British and German possessions and Protectorates in the Western Pacific the ships of both States shall in all respects reciprocally enjoy equal treatment as well as most-favoured-nation treatment, and merchandize of whatever origin imported by the subjects of either State, under whatever flag, shall not be liable to any other or higher duties than that imported by the subjects of the other State or of any third Power.

Land Claims.

4. All disputed claims to land alleged to have been acquired by a British subject in a German possession or Protectorate, or

by a German subject in a British possession or Protectorate, prior to the Proclamation of sovereignty or of Protectorate by either of the two Governments, shall be examined and decided by a Mixed Commission, to be nominated for that purpose by the two Governments.

The claim may, however, be settled by the local authority alone, if the claimant to the land makes formal application to that effect.

Penal Settlements.

5. Both Governments engage not to establish any Penal Settlements in, or to transport convicts to, the Western Pacific.

Colonies excepted.

6. In this Declaration the words "possessions and Protectorates in the Western Pacific" shall not include the Colonies which now have fully constituted Governments and Legislatures.

The present Declaration shall take effect from the date of its signature.

Declared and signed, in duplicate, at Berlin, this 10th day of April, 1886.

(L.S.) EDWARD B. MALLET.
(L.S.) GRAF BISMARCK.

No. 85.

AGREEMENT BETWEEN GREAT BRITAIN AND GERMANY, MODIFYING THE AGREEMENT OF 1885 WITH REGARD TO THE NOTICE TO BE GIVEN BEFORE ALTERING THE RATES OF TARIFF DUTIES IN THEIR PROTECTORATES IN THE GULF OF GUINEA.

Berlin, May 1st, 1893.

(No. 1.)

Mr. Trench to Baron von Marschall.

M. le Baron, *Berlin, May 5, 1893.*

It will be within your Excellency's recollection that, in the Agreement entered into between Her Majesty's Government

and the Imperial Government in 1885, and recorded in the note addressed on the 16th May of that year by Earl Granville to the Imperial Ambassador in London, upon the subject of Tariff duties in the territories of the Gulf of Guinea under their Protectorate, it was prescribed that not less than four months' notice should be given by the local officials of either Government of the adoption of any alterations in those duties.

Her Majesty's Government have now arrived at the conclusion that a reduction of the stipulated period from four months to one month would be of great assistance to both Administrations as tending to prevent the local traders from importing largely within the prescribed period goods about to be taxed.

I have accordingly the honour, by direction of the Earl of Rosebery, to invite your Excellency's attention to the modification suggested, with a view to its adoption, should it appear acceptable to the Imperial Government.

I avail, &c.,

(Signed) P. LE POER TRENCH.

(No. 2.)

Baron von Marschall to Mr. Trench.

(Translation.)

M. le Chargé d'Affaires,

Berlin, May 19, 1893.

IN your note of the 5th instant you suggested an alteration in the Agreement arrived at between the German and English Governments by the exchange of notes of the 16th May (2nd June), 1885, viz., that the period prescribed to elapse between the notice given of changes in the Customs Tariff of the possessions of either country on the Gulf of Guinea, and their being put into execution, should be reduced from four months to one month.

I have the honour to inform you of my agreement with the proposal in question, and to add that I have instructed the Governor of the Cameroons in regard to the publication of the alteration.

I avail, &c.,

(Signed) MARSCHALL.

No. 86.

ACCESSION OF GERMANY TO THE INDUSTRIAL PROPERTY
CONVENTION OF MARCH 20, 1883, &c.

April 1, 1903.

(No. 1.)

M. Carlin to the Marquess of Lansdowne.—(Received April 3.)

M. le Marquis, Londres, le 1^{er} Avril, 1903.

SUR l'ordre du Conseil Fédéral Suisse, j'ai l'honneur d'informer votre Seigneurie que, par note du 21 ultimo la Légation de l'Empire Allemand à Berne a fait connaître l'adhésion de son Gouvernement—

1. A la Convention pour la Protection de la Propriété Industrielle, conclue à Paris le 20 Mars, 1883, et au Protocole de Clôture y annexé :

2. Au Protocole concernant la dotation du Bureau International pour la Protection de la Propriété Industrielle, signé à Madrid le 15 Avril, 1891 ;

3. À l'Acte Additionnel conclu à Bruxelles de 14 Décembre, 1900, modifiant la Convention du 20 Mars, 1883, et le Protocole de Clôture y annexé. Cette adhésion ressortira ses effets à partir du 1^{er} Mai prochain.

En ce qui concerne la contribution aux dépenses du Bureau International, l'Empire Allemand sera rangé dans la première classe.

En faisant cette communication et pour éviter tout malentendu, la Légation Impériale Allemande fait ressortir que l'Empire n'entrera dans aucun rapport légal, sur la base de la dite Union, avec ceux des États unionistes qui n'ont pas encore sanctionné l'Acte Additionnel de Bruxelles, aussi longtemps que leur ratification ne sera pas intervenue.

Je serais très vivement obligé à votre Seigneurie de vouloir bien consentir à me donner acte de la présente notification, et je saisis, &c.

(Signé) CARLIN.

(No. 2.)

The Marquess of Lansdowne to M. Carlin.

Sir, Foreign Office, April 9, 1903.

I HAVE the honour to acknowledge the receipt of your note of the 1st instant, in which you inform me that, on the

21st ultimo, the German Legation at Berne notified the accession of Germany, from May 1 next, to (1) the Convention, concluded at Paris on March 20, 1883, for the Protection of Industrial Property and to the Final Protocol annexed thereto; (2) to the Protocol signed at Madrid on April 15, 1891, relative to the endowment of the International Bureau for the Protection of Industrial Property; and (3) to the Additional Act signed at Brussels, December 14, 1900, and to the Final Protocol annexed thereto. You also inform me that Germany will be placed in the first class as regards its contribution to the expenses of the International Bureau.

His Majesty's Government note that the German Government will enter into no legal obligation, as regards the Union, with such of the States, parties thereto, who have not yet agreed to the Additional Act of Brussels, so long as their ratification shall not have been deposited.

I have, &c.

(Signed) LANSDOWNE.

No. 87.

EXCHANGE OF NOTES BETWEEN GREAT BRITAIN AND GERMANY
AS TO THE RECIPROCAL PROTECTION OF TRADE-MARKS IN
CHINA.

March $\frac{23}{6}$, 1906.

(No. 1.)

Sir Edward Grey to Count Metternich.

Your Excellency,

Foreign Office, March 23, 1906.

WITH reference to our recent conversations respecting the mutual protection of British and German trade-marks in China, I have the honour to state that under the Order in Council of the 2nd February, 1899, it is open to a German whose trade-mark has been infringed by a British subject in China to take proceedings against the latter in the British Court, provided—

(1.) That the consent in writing of His Majesty's Minister or Chargé d'Affaires be obtained to the prosecution; but

(2.) Such consent may be withheld unless His Majesty's Minister or Chargé d'Affaires is satisfied that effectual provision exists for the punishment in the German Consular Court of German subjects infringing British trade-marks.

I have the honour to inform your Excellency that it is not open to doubt that in practice the consent of the British

Minister would be given in any and every case where full reciprocity could be and was granted by Germany.

His Majesty's Representative at Peking will be instructed accordingly, as soon as the German Government inform His Majesty's Government that it is open to British subjects to take proceedings before the German Consular Courts in China against persons subject to German Consular jurisdiction who infringe trade-marks duly registered in Germany, and that the German Consuls in China have received instructions in that sense.

I have, &c.,

(Signed) EDWARD GREY.

(No. 2.)

Count Metternich to Sir Edward Grey.

(Translation.)

Your Excellency, *German Embassy, London, March 26, 1906.*

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 23rd instant, in which you state that it is open to a German subject in China to take proceedings in the competent British Consular Court against a British subject for infringement of his trade-marks, provided that the British diplomatic Representative in Peking gives his consent thereto in writing. This consent will, according to the contents of your Excellency's note above mentioned, be accorded without doubt in every case, provided that reciprocity is given.

In reply to your Excellency's note I am directed by my Government to state that the Imperial German Law for the protection of trade-marks of the 12th May, 1894 ("Reichsgesetzblatt," p. 441), is in force in the districts where there are German Consular Courts, section 19 of the German Law on Consular Jurisdiction of the 7th April, 1900 ("Reichsgesetzblatt," p. 213), and that, moreover, the German Consular Judges in China are authorized to take legal proceedings against persons subject to their jurisdiction who make unauthorized use of a trade-mark duly registered in Germany in favour of a British subject.

The German Consuls in China will be furnished with instructions in accordance with the foregoing.

I have, &c.,

(Signed) P. METTERNICH.

GREECE.

No. 88.

TREATY OF COMMERCE AND NAVIGATION BETWEEN GREAT
BRITAIN AND GREECE.*Signed at Athens, November 10, 1886.***[Ratifications exchanged at Athens, April 21, 1887.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the King of the Hellenes, being desirous to extend and facilitate the relations of commerce between their respective subjects and dominions, have determined to conclude a new Treaty with this object, and they have appointed their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Sir Horace Rumbold, a Baronet of Great Britain, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, and Her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Hellenes;

And His Majesty the King of the Hellenes, M. Stephen Dragoumi, Minister for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Commerce and Navigation.—National Treatment.

There shall be between the dominions and possessions of the two High Contracting Parties reciprocal freedom of commerce and navigation. The subjects of each of the two Parties shall have liberty freely to come, with their ships and

* Signed also in Greek.

cargoes, to all places, ports, and rivers in the dominions and possessions of the other to which native subjects generally are or may be permitted to come, and shall enjoy respectively the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation which are or may be enjoyed by native subjects, without having to pay any tax or impost greater than those paid by the same, and they shall be subject to the laws and regulations in force.

ARTICLE II.

Imports : Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article the produce or manufacture of the dominions and possessions of His Majesty the King of the Hellenes, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the King of the Hellenes of any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than on articles produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of the Contracting Parties into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture.

ARTICLE III.

Exports : Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the

other which shall not equally extend to the exportation of the like article to any other country.

ARTICLE IV.

Exemption from Transit Duties.—Warehousing, Bounties, Facilities and Drawbacks.—National Treatment.

The subjects of each of the Contracting Parties shall enjoy in the dominions and possessions of the other, exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

ARTICLE V.

Imports in Vessels of either Country.—National Treatment.

All articles which are or may be legally imported into the ports of the dominions and possessions of Her Britannic Majesty in British vessels may likewise be imported into those ports in Hellenic vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in British vessels; and reciprocally all articles which are or may be legally imported into the ports of the dominions and possessions of His Majesty the King of the Hellenes in Hellenic vessels may likewise be imported into those ports in British vessels without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Hellenic vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

Exports in Vessels of either Country.—Bounties, Drawbacks, &c.—National Treatment.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions and possessions of either of the Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Hellenic or in British vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties, or of any third Power.

ARTICLE VI.

Tonnage, Harbour, Pilotage, Lighthouse, Quarantine and other Dues.—National Treatment.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE VII.

Coasting Trade, Stationing, Loading, and Unloading of Vessels.—National Treatment.

In all that regards the coasting trade, the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the Contracting Parties being that in these respects also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE VIII.

Wrecks and Salvage.—National Treatment.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled by stress of weather, or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Con-

tracting Parties should run aground or be wrecked upon the coast of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast into the sea, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Hellenic Consul-General, Consul, Vice-Consul, or Consular Agent in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of Customs, unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE IX.

National Vessels.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to Hellenic law, are to be deemed Hellenic vessels, shall, for the purposes of this Treaty, be deemed British and Hellenic vessels respectively.

ARTICLE X.

Commerce and Navigation.—Most-favoured nation Treatment.

The Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which either Contracting Party has actually granted or may hereafter grant to the subjects or citizens of any other State shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party; it being their intention that the trade and navigation of each

country shall be placed, in all respects, by the other on the footing of the most favoured nation.

ARTICLE XI.

Appointment and Privileges of Consular Officers.—Most-favoured-nation Treatment.

It shall be free to each of the Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall enjoy all the faculties, privileges, exemptions, and immunities of every kind which are or shall be granted to Consuls of the most favoured nation.

ARTICLE XII.

Freedom of Residence and Travel.—Hiring, &c., of Houses and Warehouses, &c.—Employment of Agents.—Passports.—Taxes, &c.—National Treatment.

The subjects of each of the Contracting Parties who shall conform themselves to the laws of the country—

1. Shall have full liberty, with their families, to enter, travel, or reside in any part of the dominions and possessions of the other Contracting Party.

2. They shall be permitted to hire or possess the houses, manufactories, warehouses, shops, and premises which may be necessary for them.

3. They may carry on their commerce either in person or by any agents whom they may think fit to employ.

4. They shall not be subject in respect of their persons or property, or in respect of passports, nor in respect of their commerce or industry, to any taxes, whether general or local, or to imposts or obligations of any kind whatever other or greater than those which are or may be imposed upon native subjects.

ARTICLE XIII.

Exemption from Military Service.—Municipal and other Functions and Charges, Military Requisitions and Forced Loans.—Duties, &c., on Real Property.—National Treatment.

The subjects of each of the Contracting Parties in the dominions and possessions of the other shall be exempted from

all compulsory military service whatever, whether in the army, navy, or national guard or militia. They shall be equally exempted from all judicial and municipal functions whatever other than those imposed by the laws relating to juries, as well as from all contributions, whether pecuniary or in kind, imposed as a compensation for personal service, and finally from every species of exaction or military requisition, as well as from forced loans and other charges which may be imposed for purposes of war, or as a result of other extraordinary circumstances. The duties and charges connected with the ownership or leasing of lands and other real property are, however, excepted, as well as all exactions or military requisitions to which all subjects of the country may be liable as owners or lessees of real property.

ARTICLE XIV.

Acquisition and Disposal of Property.—Intestate Estates.—National Treatment.

The subjects of each of the Contracting Parties in the dominions and possessions of the other shall be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as national subjects. Their heirs may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as subjects of the country; and in the case of subjects of either of the Contracting Parties dying intestate, their property shall be administered to by their respective Consuls or Vice-Consuls as far as is consistent with the laws of both countries.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by subjects of the country. In every case the subjects of the Contracting Parties shall be permitted to export their property, or the proceeds thereof if sold, on the same conditions as subjects of the country.

ARTICLE XV.

Protection of Persons and Property.—Domiciliary Visits.—Administration of Justice.—National Treatment.

The dwellings, manufactories, warehouses, and shops of the subjects of each of the Contracting Parties in the dominions and possessions of the other, and all premises appertaining

thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws for subjects of the country.

The subjects of each of the two Contracting Parties in the dominions and possessions of the other shall have free access to the Courts of Justice for the prosecution and defence of their rights, without other conditions, restrictions, or taxes beyond those imposed on native subjects, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE XVI.

Seamen Deserters.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XVII.

Application of Treaty to British Colonies.

The stipulations of the present Treaty shall be applicable, as far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or

foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Court of Greece to the Hellenic Minister for Foreign Affairs, within one year from the date of the exchange of the ratifications of the present Treaty.

ARTICLE XVIII.

Application of Treaty to Customs Union to which either Party belongs.

The present Treaty shall apply to any countries or territories which may hereafter unite in a Customs Union with one or other of the High Contracting Parties.

ARTICLE XIX.

Duration of Treaty.

The present Treaty shall come into force on the exchange of the ratifications, and shall remain in force for ten years, and thereafter until the expiration of a year from the day in which one or other of the Contracting Parties shall have repudiated it.

Each of the Contracting Parties reserves, however, the right of causing it to terminate upon twelve months' notice being given previously.

Treaty of 1837 abrogated.

It is understood that the Treaty of Commerce and Navigation concluded between Great Britain and Greece on the 4th October, 1837, is abrogated by the present Treaty

ARTICLE XX.

Ratifications.

The present Treaty shall be ratified by the two Contracting Parties, and the ratifications thereof shall be exchanged at Athens as soon as possible.

In faith whereof the Plenipotentiaries of the Contracting Parties have signed the present Treaty in duplicate, in the English and Greek languages, and thereto affixed their respective seals.

Done in Athens, this 10th day of November, in the year 1886.

(L.S.) HORACE RUMBOLD.
(L.S.) S. DRAGOUMI.

PROTOCOL.

Controversies as to Interpretation or Execution of Treaty to be settled by Arbitration.

At the moment of proceeding this day to the signature of the Treaty of Commerce and Navigation between Great Britain and Greece, the Plenipotentiaries of the two High Contracting Parties have declared as follows :—

Any controversies which may arise respecting the interpretation or the execution of the present Treaty, or the consequences of any violation thereof, shall be submitted, when the means of settling them directly by amicable agreement are exhausted, to the decision of Commissions of Arbitration, and that the result of such arbitration shall be binding upon both Governments.

The members of such Commissions shall be selected by the two Governments by common consent, failing which each of the Parties shall nominate an Arbitrator, or an equal number of Arbitrators, and the Arbitrators thus appointed shall select an Umpire.

The procedure of the arbitration shall in each case be determined by the Contracting Parties, failing which the Commission of Arbitration shall be itself entitled to determine it beforehand.

The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty, and that when the Treaty is ratified, the agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

In faith whereof the two Plenipotentiaries have signed the present Protocol, and thereto affixed their respective seals.

Done at Athens, this 10th day of November, in the year 1886.

(L.S.) HORACE RUMBOLD.
(L.S.) S. DRAGOUMI.

LIST OF BRITISH COLONIES WHICH HAVE ACCEDED TO THE
ABOVE TREATY UNDER ARTICLE XVII:

1. Victoria	March 15, 1888.
2. Queensland	" "
3. Tasmania	" "
4. Western Australia	" "
5. Natal	" "
6. Newfoundland	April 12, 1888.
7. South Australia	" "
8. New Zealand	" "

THE FOLLOWING HAVE NOT ACCEDED TO THE TREATY:

1. India.
2. Cape of Good Hope.
3. Canada.
4. New South Wales.

No. 89.

AGREEMENT BETWEEN GREAT BRITAIN AND GREECE FOR REGU-
LATING THE POSITION OF JOINT STOCK COMPANIES.

*Signed at Athens, August 4, 1888.**

HER Britannic Majesty's Government, and that of His Hellenic Majesty, being desirous to effect the reciprocal regulation in the United Kingdom of Great Britain and Ireland, and in that of Greece, of the position of Joint Stock Companies and other commercial, industrial, and financial Associations, the Undersigned, duly authorized to that effect by their respective Governments aforesaid, have come to the following Agreement:—

Joint Stock Companies and other Associations, commercial, industrial, and financial, constituted in conformity with the laws in force in either of the Contracting States, may exercise in the dominions of the other all their rights, including that of appearing before Tribunals for the purpose of bringing an action or of defending themselves, with the sole condition, in

* Signed also in Greek.

exercising such rights, of always conforming themselves to the laws and customs in force in the said dominions.

It is understood that these dispositions shall be applicable as well to the Companies and Associations constituted and authorized previously to the signature of this Agreement as to those which may subsequently be so constituted and authorized.

The present Agreement shall come into operation on the 15th of the present month of August, and shall remain in force until one of the Contracting Parties shall announce to the other one year in advance its intention to terminate it. Such modifications may, however, by common consent be introduced into it as experience may show to be desirable.

Done in duplicate at Athens the 4th day of August, 1888.

(L.S.)	(Signed)	EDMUND MONSON.
(L.S.)	(Signed)	E. DRAGOMIR.

No. 90.

COMMERCIAL AGREEMENT BETWEEN GREAT BRITAIN AND
GREECE.

*Signed at London, March 28, 1890.**

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of His Majesty the King of the Hellenes, being desirous of developing the commerce between the two countries, have agreed, subject to the approval of their respective Legislatures, to the following modifications of their Tariff:—

Reduction of British Duty on Currants.

1. The Government of Her Britannic Majesty engages to recommend to Parliament that the duty on currants imported into the United Kingdom of Great Britain and Ireland shall be reduced from 7s. to 2s. per hundredweight.

* Signed also in French.

Exemptions or Reductions of Duties on British Goods.

2. The Government of His Hellenic Majesty engages to recommend to the Legislature, in behalf of goods of British origin or manufacture, the exemptions or reductions of duties laid down in the Customs Tariff as specified in the annexed document. These exemptions or reductions of duties shall not prejudice the collection of the "octroi," or other special or local duties now imposed, or those which may be imposed in the future, on goods favoured by this arrangement, and especially the collection of additional duties on importation which may be eventually imposed as compensation for the abolition of the "octroi."

The Government of His Hellenic Majesty will further recommend the Legislature to engage itself not to increase the amount of the land tax now collected on the export of currants.

Duration of Agreement.

3. The above arrangement shall have the same duration as the Treaty of the 10th November, 1886.

Signed at London, in duplicate, the 28th March, 1890.

(L.S.) SALISBURY.
(L.S.) J. GENNADIUS.

Annexe.

MODIFICATIONS CONSENTIES PAR L'ACCORD DU 28 MARS, 1890,
DANS LE TARIF DES DOUANES HELLÉNIQUES EN FAVEUR
D'OBJETS D'ORIGINE OU DE MANUFACTURE BRITANNIQUE
IMPORTÉS EN GRÈCE.

Poissons salés.

Classe 11.—Harengs: droit de 30 leptas l'ocque, réduit à 20 leptas.

Fils de Coton.

Classe 152.—Fils simples écrus; (a) jusqu'au No. 24 Anglais: droit de 60 leptas l'ocque réduit à 50 leptas; (b) au-dessus du No. 24 Anglais: droit de 80 leptas l'ocque, réduit à 60 leptas.

Classe 153.—Fils simples blanchis : (b) au-dessus du No. 24 Anglais : droit de 88 leptas l'ocque, réduit à 66 leptas.

Classe 154.—Fils simples teints à la détrempe : (b) au-dessus du No. 24 Anglais : droit de 1.04 drachme l'ocque, réduit à 80 leptas.

Note insérée après la classe 155, fils retors ou câblés : droit de 20 pour cent ajouté à celui des fils simples abolis.

Teintures végétales.

Classe 59 (b).—Indigo : droit de 3 drachmes l'ocque, réduit à 10 leptas.

Produits chimiques.

Classe 103 (c).—Acides purs, c'est-à-dire acide sulfurique (esprit de vitriol), acide hydrochlorique (esprit de sel), acide nitrique (eau forte), acide phénique, et autres acides similaires, ainsi que tout autre produit chimique non dénommé : droit de 20 leptas l'ocque, réduit à 10 leptas.

Classe 103 (d).—Acides non raffinés, dits de commerce : droit de 10 leptas l'ocque, abolis.

Tissus de Coton.

Classe 157.—Tissus de coton écrus non spécialement dénommés : (a) droit de 80 leptas réduit à 70 leptas ; (b) et (c) droit de 96 leptas et 1.12 drachme l'ocque fondus en droit unique de 80 leptas.

Classe 158.—Tissus de coton blanchis non spécialement dénommés : droit de 40 pour cent ajouté à celui des tissus de coton écrus fait place à droit unique de 1 drachme sans l'augmentation de 40 pour cent.

Classe 159.—Tissus de coton fabriqués avec des fils teints ou imprimés non spécialement dénommés : droit de 80 pour cent ajouté à celui des tissus de coton écrus fait place à droit unique de 1.20 drachme l'ocque sans l'augmentation de 80 pour cent.

Classe 161.—Dernier alinéa, "linge et objets brodés, à l'exception des vêtements confectionnés : " droit de 6 drachmes l'ocque, réduit à 3 drachmes.

Classe 162 (a).—Velours, façons velours et peluches pour hommes, cretonnes, satin, et piqués : droit de 3 drachmes l'ocque conservé pour velours, façons velours, et peluches non spécialement dénommés et réduit à 2 drachmes pour tous les objets ci-dessus spécialement dénommés.

Classe 164.—Vêtements confectionnés pour hommes et enfants: droit de 50 pour cent ajouté à celui du tissu, réduit à 40 pour cent.

Tissus de Lin, de Chanvre, ou de Jute.

Classe 168.—Tissus de lin, de chanvre, ou de jute non spécialement dénommés:—

(a.) Contenant moins de 12 fils de chaîne en 5 millim. carrés, à l'exception du tissu grossier propre à faire des sacs: droit de 1·10 drachme l'ocque, réduit à 90 leptas.

(b.) Contenant 12 fils et au-dessus de chaîne en 5 millim. carrés: droit de 3 drachmes l'ocque, réduit à 2 drachmes.

Classe 170.—Dentelles et broderies: droit de 30 drachmes l'ocque, réduit à 15 drachmes.

Classe 171.—Tulles, gazes, batiste, et autres tissus transparents: droit de 16 drachmes l'ocque, réduit à 8 drachmes.

Classe 172.—Velours, passementerie, franges, rubans, &c., et linge: droit de 6 drachmes l'ocque, réduit à 3 drachmes.

Classe 173.—Vêtements confectionnés pour hommes et pour garçons: droit ajouté à celui du tissu de 50 pour cent, réduit à 40 pour cent.

Classe 174.—Vêtements confectionnés pour femmes et fillettes:—

(a.) Simples: droit de 20 drachmes l'ocque, réduit à 15 drachmes.

(b.) Avec broderies ou dentelles et sans déduction de tare: droit de 30 drachmes l'ocque, réduit à 15 drachmes.

Tissus de Laine ou de Poils.

Classe 177 (c).—Tapis en fils de laine ou de laine et coton tissés ou tricotés, ainsi que ceux en mélange de laine, de chanvre, ou de jute: droit de 2·50 drachmes l'ocque, réduit à 2 drachmes.

Classe 185.—Tissus en laine ou de toute autre matière textile animale (poils) non spécialement dénommés de toutes couleurs et fabrication (à l'exception des tissus fins, tels que gazes et tulles, grenadines et semblables) ayant la chaîne ou la trame entièrement ou en grande partie en coton:—

(a.) Jusqu'au poids de 200 grammes par mètre carré: droit de 2·50 drachmes l'ocque, réduit à 2 drachmes.

(b.) Au-dessus du poids de 200 grammes par mètre carré: droit de 1·60 drachmes l'ocque, réduit à 1·30 drachme.

No. 91.

DECLARATION BETWEEN GREAT BRITAIN AND GREECE, CORRECTING AN ERROR IN THE ANNEX TO THE COMMERCIAL AGREEMENT BETWEEN THE TWO COUNTRIES OF MARCH 28, 1890.

*Signed at London, June 16, 1890.**

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of His Majesty the King of the Hellenes, being desirous of correcting an error in the Annex to the Commercial Agreement between Great Britain and Greece, signed on the 28th March, 1890, and of thus making the said Agreement conform to the intentions of the Contracting Parties

Declare as follows :—

The paragraph in the Annex to the said Agreement of the 28th March, 1890, which is entitled "Classe 162 (A)," and which is as follows :

"Classe 162 (A).

"Velours, façons velours, et peluches pour hommes, cretonnes, satin, et piqués : droit de 3 drachmes l'ocque conservé pour velours, façons velour, et peluches non spécialement dénommés, et réduit à 2 drachmes pour tous les objets ci-dessus spécialement dénommés,"

is cancelled, and the following paragraph is substituted for it :

— "Classe 162 (A).

"Velours, façons velours, et peluches, cretonnes, satin, et piqués : droit de 3 drachmes l'ocque conservé pour tous les objets non spécialement dénommés et réduit à 2 drachmes pour tous les objets ci-dessus spécialement dénommés."

* Signed also in French.

In witness whereof the Undersigned, duly authorized to that effect by their respective Governments, have signed the present Declaration at London, this 16th day of June, 1890.

(L.S.) SALISBURY.
(L.S.) J. GENNADIUS.

No. 92.

DECLARATION BETWEEN GREAT BRITAIN AND GREECE RESPECTING TRADE - MARKS, INDUSTRIAL DESIGNS, AND PATTERNS.

*Signed at Athens, July 27, 1894.**

Trade-marks, &c.—National and Most-favoured-nation Treatment.

THE Government of Her Britannic Majesty and the Government of His Hellenic Majesty being desirous to determine in a more explicit manner the text of the Treaty of Commerce and Navigation of the ^{29th October}_{10th November} 1886, concluded in Athens between Great Britain and Greece, the Undersigned have proceeded by mutual consent to the following Declaration:—

The Government of Her Britannic Majesty declare that under the terms of the Treaty of Commerce and Navigation between Great Britain and Greece of the ^{29th October}_{10th November} 1886, the subjects of His Hellenic Majesty have in the United Kingdom of Great Britain and Ireland the same rights as are now granted, or may hereafter be granted, to British subjects or to subjects of the most favoured nation in all that relates to trade-marks, industrial designs, and patterns; and on their side the Government of His Hellenic Majesty declare that the subjects of Her Britannic Majesty have in the Kingdom of Greece the same rights as are now granted, or may hereafter be granted, to Hellenic subjects or to subjects of the most favoured nation in all that relates to trade-marks, industrial designs, and patterns, it being understood that in order that such rights may be obtained the formalities required by the laws of the respective countries must be observed.

In witness whereof Mr. Edwin Egerton, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Hellenes, and M. Denis Stéphanos, His Hellenic Majesty's Minister, charged with the direction of

* Signed also in Greek.

foreign affairs have signed the present Declaration, and thereto affixed their respective seals.

Done in duplicate at Athens on the 27th day of July, in the year 1894.

(L.S.) EDWIN H. EGERTON.

(L.S.) DEN. STÉPHANOS.

No. 93.

DECLARATIONS BETWEEN GREAT BRITAIN AND GREECE WITH RESPECT TO COMMERCIAL MATTERS.

*Signed at Athens, November 10 (23), 1904, and
May 4 (17), 1905.**

DECLARATION.

THE Government of His Britannic Majesty and the Government of His Majesty the King of the Hellenes.

Being desirous of making certain modifications in the agreements at present existing between them,

Have authorized the Undersigned to conclude the following arrangement:—

Greek Measures relating to Currants.—Withdrawal of Protest against.

1. The Government of His Britannic Majesty being of opinion that the Greek Curreant Retention Law and "Land Tax and Export Duty on Currants" Law are inconsistent with the stipulation contained in Article 2, paragraph 2, of the Commercial Agreement between the Governments of the United Kingdom and Greece of 1890 are ready to withdraw their protest against these measures in return for the concessions hereinafter indicated.

Tariff Reductions on British Goods.

2. The Government of His Hellenic Majesty being desirous of arriving at a satisfactory settlement on this point with the

* Signed also in Greek.

Government of His Britannic Majesty, engage to recommend to the Legislature in favour of goods of British origin or manufacture the reductions of the duties laid down in the Customs Tariff, as specified in the annexed document.

Reduction of Duty on Currants in Newfoundland and of Duty on Newfoundland Codfish in Greece.

3. The Government of Newfoundland agree to recommend to the Parliament of Newfoundland the admission duty free of currants and sultanias the produce of the Hellenic Kingdom imported into Newfoundland in return for the reduction by the Greek Government of the duty on Newfoundland codfish imported into Greece to five francs per hundred okes.

Power of Colonies to withdraw from Treaty of 1886.

4. It is understood that the Colonies, Possessions, and Protectorates of His Britannic Majesty which are at present parties to the Commercial Treaty of November 10th, 1886, shall each of them separately have the power of withdrawing at any time from that Convention on giving twelve months' previous notice of their intention so to do.

Reciprocal Most-favoured-nation Treatment of Goods from British Colonies and Possessions.

5. In addition to the foregoing stipulations the two Governments agree that during the existence of the Commercial Treaty of 1886 and the Commercial Agreement of 1890 as modified by the Declaration of June 16th, 1890, and the present Declaration, the goods produced or manufactured in any part of the British Empire shall enjoy in the Dominions of His Hellenic Majesty complete and unconditional most-favoured-nation treatment so long as such Possession, Colony or Protectorate shall accord to goods of Greek origin and manufacture treatment as favourable as it gives to the goods the produce or manufacture of any other foreign country.

Time of Withdrawal of British Protest mentioned in Article I.

6. As soon as notice is given* by His Hellenic Majesty's Government that this Declaration has obtained legislative

* Notice was given by the Greek Government to His Majesty's Minister at Athens on the 25th July, 1905, that this Declaration, as well as the Supplementary Declaration of the 17th May, 1905 (see p. 479), had been approved by the Greek Legislature.

sanction in Greece, His Britannic Majesty's Government will withdraw their protest against the measures mentioned in Article 1.

Duration of Commercial Treaty of 1886, of Commercial Agreement of 1890, and of this Declaration.

7. The Commercial Treaty of 1886, the Commercial Agreement of 1890 as modified by the Declaration of June 16th, 1890, and by the present Declaration, and the present Declaration itself shall remain in force for five years from the date on which the Hellenic Government shall have notified that this Declaration has obtained legislative sanction in Greece, and thereafter until the expiration of a year from the day on which one or other of the Contracting Parties shall have repudiated them.

Each of the Contracting Parties reserves, however, the right of causing them to terminate at the end of the fifth year upon twelve months' notice being given previously.

Signed at Athens, in duplicate, the 10th (23rd) of November, 1904.

FRANCIS E. H. ELLIOTT.
A. ROMANOS.

Annex.

MODIFICATIONS in the Greek Customs Tariff in favour of British Goods imported into Greece.

Class in Tariff.	Description of Articles.	Duty in Metallic Drachmas reduced—	
		From—	To—
11 b	Herrings ... 100 okes	20,00	7,68
13	Cod and stockfish ... „	11,36½	5,00
139	Confectionery of all kinds, of honey or of sugar ... „	300,00	38,40
<p><i>Note.</i>—From the above class of the Tariff are excepted Halva and Rahat Lakoum, as well as similar articles specially mentioned in the Tariff in force at the date of the signature of the Anglo-Greek Declaration of 1904.</p>			
142	Biscuits [galettes], “gim- blettes,” &c., with sugar or butter or both; and crackers, with or without sugar or butter; and all similar goods, including “pâte à kataif” ... 100 okes	80,00	40,00

Class in Tariff.	Description of Articles.	Duty in Metallic Drachmas reduced—	
		From—	To—
156	Cotton threads for sewing, wound on cards or bobbins or in skeins, white, un- bleached, or dyed, twisted or corded or not, without tare allowance as regards cards 100 okes	150,00	100,00
159 c	Dyed cotton tissues for linings ..	120,00	100,00
168 c	Carpets of hemp or jute ..	80,00	40,00
185	Tissues of wool or other animal hair [poil] not specially men- tioned, of any colour or make, having the warp or woof en- tirely or in great part of cotton, and weighing more than 450 grammes per square metre; and satin of wool and cotton	130,00	100,00
203	Coarse hempen tissues <i>Note.</i> —Coarse tissues of jute for making sacks are included in the above class of the Tariff.	30,00	15,00

SUPPLEMENTARY DECLARATION.

The Undersigned duly authorized thereto by their respective Governments have agreed to the following alteration in, and addition to, the Annex to the Declaration of the 10th (23rd) November, 1904. .

ALTERATION.

The Note to Class 139 to read as follows :

Note.—From the above class of the Tariff are excepted Halva and Rabat-Lakoum as well as similar articles specially mentioned in the Tariff in force at the date of the signature of the Anglo-Greek Declaration of 1904, and chocolate, chocolate and other creams, candied fruits, and all kinds of fondants.

ADDITION.

Class 143.—Fruit preserved in vessels hermetically sealed; fruit preserved in wine or spirits or solution of sugar; as well as marmalades and jams, jellies, and other articles not specially mentioned.

Duty in Metallic Drachmas reduced—

			From—	To—
1 oke	...	...	2,00	1,00

Done in duplicate at Athens, the 4th (17th) May, 1905.

FRANCIS E. H. ELLIOT.
A. SKOUSÈS.

GUATEMALA.

No. 94.

CONVENTION BETWEEN GREAT BRITAIN AND GUATEMALA RELATIVE TO TRADE-MARKS.

Signed at Guatemala, July 20, 1898.

[*Ratifications exchanged at Guatemala, July 28, 1899.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, &c., &c., and his Excellency the President of the Republic of Guatemala, being desirous to conclude a Convention for the mutual protection of trade-marks and designs, have for that purpose appointed as their Plenipotentiaries, namely :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, &c., George Birt Jenner, Esquire, Her Minister Resident in Central America ;

And his Excellency the President of Guatemala, Doctor Francisco Anguiano, Secretary of State for the Department of the Interior and Justice, and in charge of that of Foreign Relations ;

Who, after having mutually communicated their full powers, found in good and due form, have agreed to the following Articles :—

ARTICLE I.

Trade-marks, &c.—National Treatment.

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as are now granted, or may hereafter be granted, to national subjects or citizens in all that relates to trade-marks, industrial designs, and patterns.

In order that such rights may be obtained, the formalities required by the laws of the respective countries must be fulfilled.

ARTICLE II.

Application of Convention to British Colonies.

The stipulations of the present Convention shall be applicable to all the Colonies and foreign possessions of Her Britannic

Majesty, excepting to those hereinafter named, that is to say, except to India, the Dominion of Canada, Newfoundland, the Cape of Good Hope, Natal, New South Wales, Victoria, Queensland, Tasmania, South Australia, Western Australia, and New Zealand:

Provided always that the stipulations of the present Convention shall be made applicable to any of the above-named Colonies or foreign possessions, on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative to the Minister of Foreign Relations of the Republic of Guatemala within one year from the date of the exchange of the ratifications of the present Convention.

ARTICLE III.

Ratifications.

The present Convention shall be ratified as soon as possible, and shall remain in force for five years, which will commence to run one month after the exchange of ratifications, which shall take place in the city of Guatemala. Nevertheless, if one year before the expiration of that term neither of the two Contracting Parties shall have announced to the other, by means of an official declaration, the intention of putting an end to the present Convention, it shall continue binding until the lapse of a year after such declaration shall have been made.

In witness whereof the undersigned Plenipotentiaries have signed the present Convention, and affixed thereto their seals.

Done in duplicate at Guatemala, on the twentieth day of July, eighteen hundred and ninety-eight.

(L.S.) G. JENNER.
(L.S.) F. ANGUIANO.

LIST OF BRITISH COLONIES WHICH HAVE ADHERED TO THIS CONVENTION:

Canada.
Cape of Good Hope.
India.
Newfoundland.
New Zealand.
Queensland.
South Australia.
Tasmania.

HONDURAS.

No. 95.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN
GREAT BRITAIN AND HONDURAS.

*Signed at Guatemala, January 21, 1887.**

[Ratifications exchanged at Guatemala, February 3, 1900.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and his Excellency the President of the Republic of Honduras, being desirous of maintaining and strengthening friendly relations, and of promoting commercial intercourse between the dominions of Her Britannic Majesty and the territories of the Republic, have resolved to conclude a Treaty of Friendship, Commerce, and Navigation, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, James Plaister Harriss-Gastrell, Esq., Her Britannic Majesty's Minister Resident and Consul-General to the Republic of Honduras ;

And his Excellency the President of the Republic of Honduras, his Excellency Dr. Don Jerónimo Zelaya, Envoy Extraordinary and Minister Plenipotentiary ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Commerce and Navigation.—Most-favoured-nation Treatment.

The High Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which either Contracting Party has actually

* Signed also in Spanish.

granted or may hereafter grant to the subjects or citizens of any other State shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party; it being their intention that the trade and navigation of each country shall be placed in all respects by the other on the footing of the most favoured nation.

ARTICLE II.

Imports, Exports, and Transit: Duties and Prohibitions.—Most-favoured-nation Treatment.

The produce and manufacture of, as well as all goods coming from, the dominions and possessions of Her Britannic Majesty, which are imported into Honduras, and the produce and manufactures of, as well as all goods coming from Honduras, which are imported into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, re-exportation, or transit, shall be treated in the same manner as, and, in particular, shall be subjected to no higher or other duties, whether general, municipal, or local, than the produce, manufactures, and goods of any third country the most favoured in this respect. No other or higher duties shall be levied in Honduras on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty on the exportation of any goods to Honduras, than may be levied on the exportation of the like goods to any third country the most favoured in this respect.

Neither of the Contracting Parties shall establish a prohibition of importation, exportation, or transit against the other which shall not, under like circumstances, be applicable to any third country the most favoured in this respect.

Local Dues, Brokerage, Commercial Travellers' Samples, &c.—Most-favoured-nation Treatment.

In like manner, in all that relates to local dues, Customs formalities, brokerage, patterns or samples introduced by commercial travellers, and all other matters connected with trade, British subjects in Honduras, and Honduranian citizens in the dominions and possessions of Her Britannic Majesty, shall enjoy most-favoured-nation treatment.

Changes in Honduranian Laws, Tariff, &c.

In the event of any changes being made in Honduranian Laws, Customs Tariff, or Regulations, sufficient notice shall be given in order to enable British subjects to make the necessary arrangements for meeting them.

ARTICLE III.

Vessels and Cargoes: Harbour Dues, Pilotage, &c.—National and Most-favoured-nation Treatment.

British ships and their cargoes shall, in Honduras, and Honduranian vessels and their cargoes shall, in the dominions and possessions of Her Britannic Majesty, from whatever place arriving and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, pilotage, and generally to all matters connected with navigation.

Every favour or exemption in these respects, or any other privilege in matters of navigation which either of the Contracting Parties shall grant to a third Power, shall be extended immediately and unconditionally to the other Party.

National Vessels.

All vessels which according to British law are to be deemed British vessels, and all vessels which, according to the law of Honduras are to be deemed Honduranian vessels, shall for the purpose of this Treaty, be respectively deemed British or Honduranian vessels.

ARTICLE IV.

Freedom of Residence.—Hiring of Houses and Warehouses.—Acquisition and Disposal of Property.—National Treatment.

The subjects or citizens of each of the Contracting Parties shall be permitted to reside permanently or temporarily in the dominions or possessions of the other, and to occupy and hire houses and warehouses for purposes of commerce, whether wholesale or retail. They shall also be at full liberty to exercise civil rights, and therefore to acquire, possess and dispose of every description of property movable and immovable. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner under the same conditions as natives of the country. Their heirs and legal representatives may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as natives of the country.

Property: Imposts, Duties, Exportation.—National Treatment.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than

is payable by natives of the country. In every case the subjects or citizens of the Contracting Parties shall be permitted to export their property, or the proceeds thereof if sold, freely and without being subjected on such exportation to pay any duty different from that to which natives of the country are liable under similar circumstances.

ARTICLE V.

Inviolability of Dwellings, &c.—Domiciliary Visits, &c.—National Treatment.

The dwellings, manufactories, warehouses, and shops of the subjects or citizens of each of the Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected. Except under the conditions and with the forms prescribed by the laws for natives of the country, such dwellings and premises shall be exempt from search or domiciliary visit, and books, papers, or accounts shall be exempt from examination or inspection.

Administration of Justice.—National Treatment.

The subjects or citizens of each of the two Contracting Parties in the dominions and possessions of the other shall have free access to the Courts of Justice for the prosecution and defence of their rights, without other conditions, restrictions, or taxes beyond those imposed on natives of the country, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE VI.

Exemption from Military Service, Forced Loans, &c.

The subjects or citizens of each of the Contracting Parties in the dominions and possessions of the other shall be exempted from billeting and from all compulsory military service whatever, whether in the army, navy, or national guard or militia. They shall likewise be exempted from all contributions, whether pecuniary or in kind, imposed as a compensation for billeting and for personal service, and, finally, from forced loans and military exactions or requisitions of any kind.

ARTICLE VII.

Protection of Persons and Property, Liberty of Conscience, Burials.—National Treatment.

The subjects or citizens of either of the two Contracting Parties residing in the dominions and possessions of the other

shall enjoy, in regard to their houses, persons, and properties, the protection of the Government in as full and ample a manner as native subjects or citizens.

In like manner the subjects or citizens of each Contracting Party shall enjoy in the dominions and possessions of the other full liberty of conscience, and shall not be molested on account of their religious belief; and such of those subjects or citizens as may die in the territories of the other Party shall be buried in the public cemeteries, or in places appointed for the purpose, with suitable decorum and respect.

Freedom of Religious Worship.

The subjects of Her Britannic Majesty residing within the territories of the Republic of Honduras shall be at liberty to exercise in private and in their own dwellings, or within the dwellings or offices of Her Britannic Majesty's Minister, Consuls, or Vice-Consuls, or in any public edifice set apart for the purpose, their religious rites, services, and worship, and to assemble therein for that purpose without hindrance or molestation. The same stipulations shall be observed in regard to the citizens of the Republic of Honduras within the territories of Her Britannic Majesty.

ARTICLE VIII.

Trade-marks, &c.—Most-favoured-nation Treatment.

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as natives, or as subjects or citizens of the most-favoured-nation, in regard to patents for inventions, trade-marks, and designs, and the protection of industrial property, upon fulfilment of the formalities prescribed by law.

ARTICLE IX.

Appointment and Privileges of Consular Officers.—Most-favoured-nation Treatment.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents to reside respectively in towns or ports in the dominions and possessions of the other Power. Such Consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are, or may hereafter be, granted there to Consular officers of the most favoured nation.

ARTICLE X.

Intestate Estates.

In the event of any subject or citizen of either of the two Contracting Parties dying without will or testament, in the dominions and possessions of the other Contracting Party, the Consul-General, Consul, or Vice-Consul of the nation to which the deceased may belong, or, in his absence, the representative of such Consular officer may, so far as the laws of each country will permit, take charge of the property which the deceased shall have left, for the benefit of his legal representatives, until an executor or administrator be named.

ARTICLE XI.

Seamen Deserters.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties residing in the dominions and possessions of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XII.

Wrecks and Salvage.—National Treatment.

Any ship of war or merchant-vessel of either of the Contracting Parties, which may be compelled by stress of weather, or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to continue their voyage, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run against or be wrecked within the territory of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast out of the ship, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Honduranian Consul-General, Consul,

Vice-Consul, or Consular Agent in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of Customs, unless cleared—for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XIII.

Rupture of Friendly Relations.—Position of Subjects and Property.

For the better security of commerce between the subjects of Her Britannic Majesty and the citizens of the Republic of Honduras, it is agreed that if at any time any interruption of friendly intercourse, or any rupture, should unfortunately take place between the two Contracting Parties, the subjects or citizens of either of the said Contracting Parties, who may be residing in the dominions or territories of the other, or who may be established there, in the exercise of any trade or special employment, shall have the privilege of remaining, and continuing such trade or employment, without any manner of interruption, in full enjoyment of their liberty and property, so long as they behave peacefully and commit no offence against the laws; and their goods, property, and effects, of whatever description they may be, whether in their own custody or intrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like goods, property, and effects belonging to native subjects or citizens. Should they, however, prefer to leave the country, they shall be allowed to make arrangements for the safe keeping of their goods, property, and effects, or to dispose of them, and to liquidate their accounts; and a safe conduct shall be given them to embark at the ports which they shall themselves select.

ARTICLE XIV.

Application of Treaty to British Colonies.

The stipulations of the present Treaty shall be applicable to

all the Colonies and foreign possessions of Her Britannic Majesty, so far as the laws permit, excepting to those herein-after named, that is to say, except to—

India.

The Dominion of Canada.

Newfoundland.

New South Wales.

Victoria.

South Australia.

Western Australia.

Queensland.

Tasmania.

New Zealand.

The Cape.

Natal.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in the Republic of Honduras to the Honduranian Minister for Foreign Affairs within two years from the date of the exchange of the ratifications of the present Treaty.

The Treaty shall apply in the case of such Colonies or foreign possessions from the date when this notice is given to the Honduranian Minister for Foreign Affairs.

ARTICLE XV.

Controversies as to Interpretation and Execution of Treaty to be submitted to Arbitration.

Any controversies which may arise respecting the interpretation or the execution of the present Treaty, or the consequences of any violation thereof, shall be submitted, when the means of settling them directly by amicable agreement are exhausted, to the decision of Commissions of Arbitration, and the result of such arbitration shall be binding upon both Governments.

The members of such Commissions shall be selected by the two Governments by common consent; failing which each of the Parties shall nominate an Arbitrator, or an equal number of Arbitrators, and the Arbitrators thus appointed shall select an Umpire.

The procedure of the arbitration shall in each case be determined by the Contracting Parties; failing which the Commission of Arbitration shall be itself entitled to determine it beforehand.

ARTICLE XVI.

Duration of Treaty.

The present Treaty shall continue in force during ten years, counted from the day of the exchange of the ratifications; and in case neither of the two Contracting Parties shall have given notice twelve months before the expiration of the said period of ten years of their intention of terminating the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice.

ARTICLE XVII.

Ratifications.

The present Treaty shall be ratified by Her Majesty the Queen of Great Britain and Ireland and by his Excellency the President of the Republic of Honduras, and the ratifications shall be exchanged at Tegucigalpa or Guatemala as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Guatemala, the twenty-first day of January, in the year of our Lord one thousand eight hundred and eighty-seven.

(L.S.) J. P. H. GASTRELL.

(L.S.) JERÓNIMO ZELAYA.

PROTOCOL.

Definition of "a port" in Article XII.—Municipal Taxes.

THE undersigned Plenipotentiaries of the High Contracting Parties, in proceeding to the signature this day of the Treaty of Friendship, Commerce, and Navigation between the United Kingdom of Great Britain and Ireland and the Republic of Honduras, do hereby declare that by the words "a port" in Article XII (first paragraph), as regards vessels in distress, is intended "a port or roadstead of any kind, whether or not it be a port of entry." It is likewise understood between the undersigned Plenipotentiaries that British subjects, in like manner as

Honduranian citizens, shall pay the same municipal taxes, such as the tax on places of business in Honduras.

Done in duplicate at Guatemala, this twenty-first day of January, in the year of our Lord one thousand eight hundred and eighty-seven.

(L.S.) J. P. H. GASTRELL.

(L.S.) JERÓNIMO ZELAYA.

No. 96.

PROTOCOL BETWEEN GREAT BRITAIN AND HONDURAS RESPECTING THE APPLICATION OF THE TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN THE TWO COUNTRIES OF JANUARY 21, 1887, TO BRITISH COLONIES.

Signed at Guatemala, February 3, 1900.

THE undersigned Plenipotentiaries of the High Contracting Parties to the Treaty of Friendship, Commerce, and Navigation signed between the United Kingdom of Great Britain and Ireland and the Republic of Honduras on the twenty-first of January, one thousand eight hundred and eighty-seven, being duly authorized thereto, have agreed as follows:—

Application of Treaty to British Colonies.

1st. The stipulations of the said Treaty shall not be applicable to any of the Colonies or foreign possessions of Her Britannic Majesty unless notice to that effect shall have been given on behalf of any such Colony or foreign possession by Her Britannic Majesty's Representative accredited to the Republic of Honduras to the Honduranian Minister for Foreign Affairs within one year from the date of exchange of ratifications of the said Treaty.

Accession to Treaty of British Protectorate or Sphere of Influence or of Cyprus.

2nd. Her Majesty's Government may in the same manner give notice of accession on behalf of any British Protectorate or sphere of influence, or on behalf of the Island of Cyprus, in

virtue of the Convention of the fourth of June, one thousand eight hundred and seventy-eight, between Great Britain and Turkey.

Right of British Colonies, &c., to separately terminate Treaty.

3rd. Her Majesty's Government shall also have the right to separately terminate the Treaty at any time on giving twelve months' notice to that effect on behalf of any British Colony, foreign possession, or dependency which may have acceded thereto.

Most-favoured-nation Treatment.—Exception by Honduras of Central American Republics.

4th. It is understood that in all cases in which the provisions of the said Treaty accord the treatment of the most favoured nation, that term shall not be held to include the Central American Republics.

Application of Treaty to India.

5th. The stipulations of the said Treaty will be applicable to India, including the territories of any native Prince or Chief in India under the suzerainty of the British Government, subject to the following reservations :—

1. The Government of India reserve the discretionary power to prevent any foreigner from residing or sojourning in, or travelling through, India, as above defined, without their consent.

2. In regard to the native States of India, the rights of citizens of the Republic of Honduras, under Articles I and IV of the said Treaty are subject to the same limitations as those which are, or may be, in force as regards the European British subjects.

3. The right to appoint Consuls under Article IX of the said Treaty shall, in India, be restricted to the seaport towns of the provinces under the direct administration of the Government of India.

Done in duplicate, at Guatemala, this third day of February, in the year of our Lord one thousand nine hundred.

(L.S.) G. JENNER.
(L.S.) J. PADILLA.

LIST OF BRITISH COLONIES, &C., WHICH HAVE ACCDED TO
THE TREATY OF JANUARY 21, 1887:

British Honduras.
Gambia.
Lagos.
Mauritius.
New Guinea.
New South Wales.
Northern Nigeria.
Queensland.
St. Helena.
Sierra Leone.
South Australia.
Straits Settlements.
Tasmania.
Victoria.
Western Australia.

ITALY.

No. 97.

DECLARATION EXCHANGED BETWEEN GREAT BRITAIN AND ITALY,
RELATIVE TO JOINT STOCK COMPANIES.

*Signed at Florence, November 26, 1867.**

THE Government of Her Majesty the Queen of Great Britain and Ireland, and the Government of His Majesty the King of Italy, with a view to the reciprocal regulation in the two countries of the position of Joint Stock Companies, and other commercial, industrial, and financial Associations, have respectively authorized Sir Augustus Berkeley Paget, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Italy, and His Excellency Count Louis Frederick Menabrea, President of the Council, and Minister Secretary of State of His Majesty the King of Italy for the Department of Foreign Affairs, to agree :

That Joint Stock Companies and other Associations, commercial, industrial, and financial, constituted and authorized in conformity with the laws in force in either of the two countries, may freely exercise in the dominions of the other all their rights, including that of appearing before tribunals, whether for the purpose of bringing an action, or for defending the same, in conformity however with the laws and customs in force in the said countries.

That these dispositions shall be applicable as well to Companies and Associations constituted and authorized previously to the signature of this present Declaration, as to those which may subsequently be so constituted and authorized.

That the present Declaration, made without limit as to duration, may be revoked by either Party giving a year's previous notice, and that such modifications may, by common consent, be introduced into it, which experience may show to be desirable.

Done at Florence, in duplicate, the 26th November, 1867.

(L.S.) A. B. PAGET.

(L.S.) L. F. MENABREA.

* Signed also in Italian.

No. 98.

TREATY OF COMMERCE AND NAVIGATION BETWEEN
GREAT BRITAIN AND ITALY.

*Signed at Rome, June 15, 1883.**

[Ratifications exchanged at Rome, June 30, 1883.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the King of Italy, being desirous to extend and facilitate the relations of commerce between their respective subjects and dominions, have determined to conclude a new Treaty with this object, and they have appointed their respective Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, his Excellency the Right Honourable Sir Augustus Berkeley Paget, Knight Commander of the Most Honourable Order of the Bath, a Member of Her Majesty's Most Honourable Privy Council, and Her Ambassador Extraordinary and Plenipotentiary to His Majesty the King of Italy ;

And His Majesty the King of Italy, his Excellency Signor Pasquale Stanislao Mancini, Grand Cross and Grand Cordon of the Order of SS. Maurice and Lazarus and of the Crown of Italy, Knight of the Order of Civil Merit of Savoy, &c., &c., Minister of State, Deputy of the National Parliament, and His Minister Secretary of State for Foreign Affairs ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles :—

ARTICLE I.

Commerce and Navigation.—National Treatment.

There shall be between the dominions and possessions of the two High Contracting Parties reciprocal freedom of commerce and navigation. The subjects of each of the two Parties shall have liberty freely to come, with their ships and cargoes, to all places, ports, and rivers in the dominions and possessions of the other to which native subjects generally are

* Signed also in Italian.

or may be permitted to come, and shall enjoy, respectively, the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation which are or may be enjoyed by native subjects, without having to pay any tax or impost greater than those paid by the same, and they shall be subject to the laws and regulations in force.

ARTICLE II.

Imports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article the produce or manufacture of the dominions and possessions of His Majesty the King of Italy, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the King of Italy of any article the produce or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than on articles produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of the Contracting Parties into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons or of cattle, or of plants useful to agriculture.

ARTICLE III.

Exports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the Contracting Parties on the exportation of any article to the dominions and possessions of the other, than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country.

ARTICLE IV.

Exemption from Transit Duties.—Warehousing, Bounties, Drawbacks, &c.—National Treatment.

The subjects of each of the Contracting Parties shall enjoy, in the dominions and possessions of the other, exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

ARTICLE V.

Imports in Vessels of either Country.—National Treatment.

All articles which are or may be legally imported into the ports of the dominions and possessions of Her Britannic Majesty in British vessels may likewise be imported into those ports in Italian vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in British vessels; and reciprocally all articles which are or may be legally imported into the ports of the dominions and possessions of His Majesty the King of Italy in Italian vessels may likewise be imported into those ports in British vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Italian vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

Exports in Vessels of either Country.—Bounties and Drawbacks.—National Treatment.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions and possessions of either of the Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Italian or in British vessels, and whatever may be the place of destination, whether a port of either of the Contracting Parties, or of any third Power.

ARTICLE VI.

Tonnage, Harbour, Pilotage, Lighthouse, Quarantine, &c., Dues.—National Treatment.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature,

or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE VII.

Stationing, Loading and Unloading, of Vessels.—National Treatment.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE VIII.

Coasting Trade excepted.

The coasting trade is excepted from the provisions of the present Treaty; its regulation remains subject to the laws which are or shall be in force in the dominions and possessions of the Contracting Parties.

ARTICLE IX.

Vessels in Distress.—National Treatment.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled by stress of weather, or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

Wrecks and Salvage.—Consular Interference.—National Treatment.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the

coasts of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast into the sea, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Italian Consul-General, Consul, Vice-Consul, or Consular Agent in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of Customs, unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE X.

National Vessels.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to Italian law, are to be deemed Italian vessels shall, for the purposes of this Treaty, be deemed British and Italian vessels respectively.

ARTICLE XI.

Commerce and Navigation.—Most-favoured-nation Treatment.

The Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which either Contracting Party has actually granted or may hereafter grant to the subjects or citizens of any other State, shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

ARTICLE XII.

*Appointment and Privileges of Consular Officers.—
Most-favoured-nation Treatment.*

It shall be free to each of the Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall enjoy all the faculties, privileges, exemptions, and immunities of every kind which are or shall be granted to Consuls of the most favoured nation.

ARTICLE XIII.

Privileges of Subjects.

The subjects of each of the Contracting Parties who shall conform themselves to the laws of the country—

Freedom of Residence and Travel.

1. Shall have full liberty, with their families, to enter, travel, or reside in any part of the dominions and possessions of the other Contracting Party.

Hiring, &c., of Houses, Warehouses, &c.

2. They shall be permitted to hire or possess the houses, manufactories, warehouses, shops, and premises which may be necessary for them.

Transaction of Business.—Employment of Agents.

3. They may carry on their commerce either in person or by any agents whom they may think fit to employ.

Passports, Taxes, &c.—National Treatment.

4. They shall not be subject in respect of their persons or property, or in respect of passports, nor in respect of their commerce or industry, to any taxes, whether general or local, or to imposts or obligations of any kind whatever other or greater than those which are or may be imposed upon native subjects.

ARTICLE XIV.

Exemption from Military Service, Forced Loans, &c.

The subjects of each of the Contracting Parties in the dominions and possessions of the other shall be exempted from

all compulsory military service whatever, whether in the army, navy, or national guard, or militia. They shall be equally exempted from all judicial and municipal functions whatever, other than those imposed by the laws relating to juries, as well as from all contributions, whether pecuniary or in kind, imposed as a compensation for personal service, and finally from every species of exaction or military requisition.

Duties, &c., connected with Real Property. — National Treatment.

The duties and charges connected with the ownership or leasing of lands and other real property are, however, excepted, as well as all exactions or military requisitions to which all subjects of the country may be liable as owners or lessees of real property.

ARTICLE XV.

Acquisition and Disposal of Property.—National Treatment.

The subjects of each of the Contracting Parties in the dominions and possessions of the other shall be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as national subjects. Their heirs may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as subjects of the country.

Duties on Property.—National Treatment.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by subjects of the country. In every case the subjects of the Contracting Parties shall be permitted to export their property, or the proceeds thereof if sold, freely and without being subjected on such exportation to pay any duty different from that to which subjects of the country are liable under similar circumstances.

ARTICLE XVI.

Invulnerability of Dwellings, &c.

The dwellings, manufactories, warehouses, and shops of the subjects of each of the Contracting Parties in the

dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

Domiciliary Visits.—National Treatment.

It shall not be allowable to proceed to make a search of or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws for subjects of the country.

Administration of Justice.—National Treatment.

The subjects of each of the two Contracting Parties in the dominions and possessions of the other shall have free access to the Courts of Justice for the prosecution and defence of their rights, without other conditions, restrictions, or taxes beyond those imposed on native subjects, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE XVII.

Trade-marks, &c.—National Treatment.

The subjects of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as native subjects in regard to patents for inventions, trade-marks, and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE XVIII.

Seamen Deserters.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XIX.

Application to British Colonies.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic

Majesty, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Court of Italy to the Italian Minister for Foreign Affairs, within one year from the date of the exchange of the ratifications of the present Treaty.

ARTICLE XX.

Duration of Treaty.

The present Treaty shall come into force on the 1st July, 1883, and shall remain in force until the 1st February, 1892, and thereafter until the expiration of a year from the day in which one or other of the Contracting Parties shall have repudiated it.

Each of the Contracting Parties reserves, however, the right of causing it to terminate on the 1st January, 1888, upon six months' notice being given previously.

ARTICLE XXI.

Ratifications.

The present Treaty shall be ratified by the two Contracting Parties, and the ratifications thereof shall be exchanged at Rome as soon as possible.

In faith whereof the Plenipotentiaries of the Contracting Parties have signed the present Treaty in duplicate, in the English and Italian languages, and thereto affixed their respective seals.

Done at Rome, this fifteenth day of June, in the year one thousand eight hundred and eighty-three.

(L.S.) A. B. PAGET.
(L.S.) P. S. MANCINI.

PROTOCOL.

*Controversies as to Interpretation or Execution of Treaty to
be settled by Arbitration.*

At the moment of proceeding this day to the signature of the Treaty of Commerce and Navigation between Great Britain and Italy, the Plenipotentiaries of the two High Contracting Parties have declared as follows:—

Any controversies which may arise respecting the interpretation or the execution of the present Treaty, or the consequences of any violation thereof, shall be submitted, when the means of settling them by means of amicable agreement are exhausted, to the decision of Commissions of Arbitration, and that the result of such arbitration shall be binding upon both Governments.

The members of such Commissions shall be selected by the two Governments by common consent, failing which each of the Parties shall nominate an Arbitrator, or an equal number of Arbitrators, and the Arbitrators thus appointed shall select an Umpire.

The procedure of the arbitration shall in each case be determined by the Contracting Parties, failing which the Commission of Arbitration shall be itself entitled to determine it beforehand.

The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty, and that when the Treaty is ratified, the agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

In faith whereof the two Plenipotentiaries have signed the present Protocol, and thereto affixed their respective seals.

Done at Rome, this fifteenth day of June, in the year one thousand eight hundred and eighty-three.

(L.S.) A. P. PAGET.
(L.S.) MANCINI.

LIST OF BRITISH COLONIES WHICH HAVE ACCEDED TO THE
ABOVE TREATY UNDER ARTICLE XIX:

1. Newfoundland ..	..	March 10, 1884.
2. Natal ..	..	" "
3. New South Wales ..	..	" "
4. Victoria ..	..	" "
5. Queensland ..	..	" "
6. Tasmania ..	..	" "
7. Western Australia ..	..	" "
8. New Zealand ..	..	" "

THE FOLLOWING COLONIES HAVE STATED THAT THEY DO NOT
DESIRE TO ACCEDE TO THE TREATY:

1. India.
2. Dominion of Canada.
3. The Cape.
4. South Australia.

No. 99.

EXCHANGE OF NOTES BETWEEN GREAT BRITAIN AND ITALY AS
TO THE MUTUAL PROTECTION OF TRADE-MARKS IN CHINA.

^{July 30}
^{August 7} 1903.

(No. 1.)

M. Carignani to the Marquess of Lansdowne.

(Translation.)

My Lord, *Italian Embassy, London, July 30, 1903.*

THE Government of His Majesty the King, my august Sovereign, being desirous of coming to an arrangement with the other Governments, with a view to secure the reciprocal protection of trade-marks in China, have now instructed me to bring the following to the knowledge of your Lordship:—

1. In virtue of the civil and penal jurisdiction which is intrusted to the Consuls and Consular Tribunals of His Majesty the King of Italy, and which they exercise in China, they are competent to take cognizance of all claims which may be presented to them respecting the counterfeiting of trade-marks by Italian subjects.

2. So any claim which English manufacturers may have to present to them in order to obtain protection for trade-marks, duly registered in the Kingdom of Italy, as against Italian subjects, shall henceforward be adjudicated, in the first instance, by the Consular Tribunal, and, in the last instance, by the Court of Appeal at Ancona.

3. The right of property in trade-marks is regulated in Italy by the Law of the 30th August, 1868.

I have the honour to request your Lordship to be good enough to take note of this declaration, and to inform me whether Italian subjects will be able to invoke the same legal protection in China, on the part of the English Consular authorities, in all that concerns their property in trade-marks duly registered in Great Britain.

I have, &c.,
(Signed) M. CARIGNANI.

(No. 2.)

The Marquess of Lansdowne to M. Carignani.

Sir, *Foreign Office, August 7, 1903.*

I HAVE the honour to acknowledge the receipt of your note of the 30th ultimo, informing me of the desire of the Italian Government to come to an arrangement with His Majesty's Government for the mutual protection of British and Italian trade-marks in China, and stating that any claim which English manufacturers may have to present to His Italian Majesty's Consuls and Consular Tribunals in China, in order to obtain protection for trade-marks, duly registered in the Kingdom of Italy, as against Italian subjects, will henceforward be adjudicated, in the first instance, by the Consular Tribunals, and, in the last instance, by the Court of Appeal at Ancona.

In reply to your inquiry whether Italian subjects will be able to invoke the same legal protection in China, on the part of the English Consular authorities, in all that concerns their property in trade-marks duly registered in Great Britain, I have the honour to state that under the Order in Council of the 2nd February, 1899, it is open to an Italian whose trade-mark has been infringed by a British subject in China to take proceedings against the latter in the British Court, provided that the consent in writing of His Majesty's Minister or the Chargé d'Affaires be obtained to the prosecution. Such consent, however, may be withheld if His Majesty's Minister or Chargé d'Affaires is not satisfied that effectual provision exists for the punishment in the Italian Consular Court of Italian subjects infringing British trade-marks.

A copy of your note will be sent to His Majesty's Chargé d'Affaires at Peking, and Mr. Townley's attention will be called to the statements contained in it as to the competence in such matters of the Italian Consular Courts.

I have, &c.,
(Signed) LANSDOWNE.

JAPAN.

No. 100.

TREATY OF COMMERCE AND NAVIGATION BETWEEN GREAT
BRITAIN AND JAPAN.*Signed at London, July 16, 1894.**[Ratifications exchanged at Tôkiô, August 25, 1894.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of Japan, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Right Honourable John, Earl of Kimberley, Knight of the Most Noble Order of the Garter, &c., &c., Her Britannic Majesty's Secretary of State for Foreign Affairs;

And His Majesty the Emperor of Japan, Viscount Aoki Siuzo, Junii, first class of the Imperial Order of the Sacred Treasure, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of St. James';

Who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

Freedom of Residence and Travel.—Protection of Persons and Property.

The subjects of each of the two High Contracting Parties shall have full liberty to enter, travel, or reside in any part of

the dominions and possessions of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

Administration of Justice.—National Treatment.

They shall have free and easy access to the Courts of Justice in pursuit and defence of their rights; they shall be at liberty equally with native subjects to choose and employ lawyers, advocates, and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native subjects.

Residence, Travel, Succession to and Disposal of Property.—National and Most-favoured-nation Treatment.—Liberty of Conscience.—Freedom of Religious Worship.—Burials.

In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate, by will or otherwise, and the disposal of property of any sort in any manner whatsoever which they may lawfully acquire, the subjects of each Contracting Party shall enjoy in the dominions and possessions of the other the same privileges, liberties, and rights, and shall be subject to no higher imposts or charges in these respects than native subjects, or subjects or citizens of the most favoured nation. The subjects of each of the Contracting Parties shall enjoy in the dominions and possessions of the other entire liberty of conscience, and, subject to the Laws, Ordinances, and Regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

Taxes, &c.—National and Most-favoured-nation Treatment.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects, or subjects or citizens of the most favoured nation.

ARTICLE II.

Exemption from Military Service, Forced Loans, &c.

The subjects of either of the Contracting Parties residing in the dominions and possessions of the other shall be exempted

from all compulsory military service whatsoever, whether in the army, navy, National Guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions.

ARTICLE III.

Freedom of Commerce and Navigation.

There shall be reciprocal freedom of commerce and navigation between the dominions and possessions of the two High Contracting Parties.

Wholesale and Retail Trade, Hiring, &c., of Houses, Warehouses, &c.—National Treatment.

The subjects of each of the High Contracting Parties may trade in any part of the dominions and possessions of the other by wholesale or retail in all kinds of produce, manufactures, and merchandize of lawful commerce, either in person or by agents, singly, or in partnerships with foreigners or native subjects; and they may there own or hire and occupy the houses, manufactories, warehouses, shops, and premises which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the Laws, Police and Customs Regulations of the country like native subjects.

Vessels and Cargoes, Taxes, &c.—National and Most-favoured-nation Treatment.

They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the dominions and possessions of the other which are or may be opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native subjects, or subjects or citizens of the most favoured nation, without having to pay taxes, imposts, or duties, of whatever nature or under whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, Corporations, or establishments of any kind, other or greater than those paid by native subjects, or subjects or citizens of the most favoured nation, subject always to the Laws, Ordinances, and Regulations of each country.

ARTICLE IV.

Inviolability of Dwellings, &c.

The dwellings, manufactories, warehouses, and shops of the subjects of each of the High Contracting Parties in the

dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

Domiciliary Visits.—National Treatment.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the Laws, Ordinances, and Regulations for subjects of the country.

ARTICLE V.

Imports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty of any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of Japan of any article, the produce or manufacture of the dominions and possessions of Her Britannic Majesty, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the High Contracting Parties, into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

ARTICLE VI.

Exports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article to the dominions and possessions of the other than such as are, or may be, payable on

the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other which shall not equally extend to the exportation of the like article to any other country.

ARTICLE VII.

Exemption from Transit Duties.—Warehousing, Bounties, Drawbacks, &c.—National Treatment.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other exemption from all transit duties, and a perfect equality of treatment with native subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

ARTICLE VIII.

Imports in Vessels of either Country.—National Treatment.

All articles which are or may be legally imported into the ports of the dominions and possessions of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in British vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and reciprocally, all articles which are or may be legally imported into the ports of the dominions and possessions of Her Britannic Majesty in British vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in British vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

Exports in Vessels of either Country.—National Treatment.

In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid and the same bounties and drawbacks allowed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese or in British vessels, and whatever may be

the place of destination, whether a port of either of the Contracting Parties or of any third Power.

ARTICLE IX.

*Tonnage, Harbour, Pilotage, Lighthouse, Quarantine, &c., Dues.—
Most-favoured-nation and National Treatment.*

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, levied in the name or for the profit of the Government, public functionaries, private individuals, Corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favoured nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE X.

*Stationing, Loading and Unloading of Vessels.—National
Treatment.*

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE XI.

Coasting Trade.—Most-favoured-nation Treatment.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the Laws, Ordinances, and Regulations of Japan and of Great Britain respectively. It is, however, understood that Japanese subjects in the dominions and possessions of Her Britannic Majesty, and British subjects in the dominions and possessions of His Majesty the Emperor

of Japan, shall enjoy in this respect the rights which are or may be granted under such Laws, Ordinances, and Regulations to the subjects or citizens of any other country.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of Her Britannic Majesty, and a British vessel laden in a foreign country with cargo destined for two or more ports in the dominions and possessions of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the Laws and Custom-house Regulations of the two countries.

Vessels carrying Cargo between open Japanese Ports.

The Japanese Government, however, agrees to allow British vessels to continue, as heretofore, for the period of the duration of the present Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata, and Ebisu-minato.

ARTICLE XII.

Vessels in Distress.—National Treatment.

Any ship of war or merchant-vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

Wrecks, &c.—Consular Interference.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the district of the occurrence, or if there be no such Consular officer, they shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the nearest district.

Proceedings as to Salvage from Wrecks.

All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of Her Britannic Majesty shall take place in accordance with the Laws, Ordinances, and Regulations of Great Britain, and reciprocally all measures of salvage relative to British vessels wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan shall take place in accordance with the Laws, Ordinances, and Regulations of Japan.

Salvage from Wrecks.—Expenses.—National Treatment.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls, or Consular Agents upon being claimed by them within the period fixed by the laws of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

Duties on Goods saved from Wrecks.

The goods and merchandize saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties.

Wrecks, &c.—Consular Interference.

When a ship or vessel belonging to the subjects of one of the Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the subjects of their respective States. The same rule shall apply in case the owner, master, or other agent is present, but requires such assistance to be given.

ARTICLE XIII.

National Vessels.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to British law, are to be deemed British vessels, shall, for the purposes of this Treaty, be deemed Japanese and British vessels respectively.

ARTICLE XIV.

Seamen Deserters.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place.

ARTICLE XV.

Commerce and Navigation.—Most-favoured-nation Treatment.

The High Contracting Parties agree that, in all that concerns commerce and navigation, any privilege, favour, or immunity which either Contracting Party has actually granted, or may hereafter grant, to the Government, ships, subjects, or citizens of any other State, shall be extended immediately and unconditionally to the Government, ships, subjects, or citizens of the other Contracting Party, it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

ARTICLE XVI.

Appointment and Privileges of Consular Officers.—Most-favoured-nation Treatment.

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers,

This exception, however, shall not be made in regard to one of the Contracting Parties without being made likewise in regard to every other Power.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions, and immunities, which are, or may hereafter be, granted to Consular officers of the most favoured nation.

ARTICLE XVII.

Trade-marks, &c.—National Treatment.

The subjects of each of the High Contracting Parties shall enjoy in the dominions and possessions of the other the same protection as native subjects in regard to patents, trade-marks, and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE XVIII.

Foreign Settlements in Japan.

Her Britannic Majesty's Government, so far as they are concerned, give their consent to the following arrangement:—

The several foreign Settlements in Japan shall be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan.

The competent Japanese authorities shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements shall at the same time be transferred to the said Japanese authorities.

When such incorporation takes place the existing leases in perpetuity under which property is now held in the said Settlements shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the Consular authorities mentioned in the same are in all cases to be replaced by the Japanese authorities.

All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart.

ARTICLE XIX.

Application to British Colonies.

The stipulations of the present Treaty shall be applicable, so far as the laws permit, to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
The Cape.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given to the Japanese Government by Her Britannic Majesty's Representative at Tôkiô within two years from the date of the exchange of ratifications of the present Treaty.

ARTICLE XX.

*Abrogation of Conventions of 1854 and of 1886 and Treaty of 1858, with all Arrangements and Agreements subsidiary thereto.—
Abolition of British Consular Jurisdiction in Japan.*

The present Treaty shall, from the date it comes into force, be substituted in place of the Conventions respectively of the 23rd day of the 8th month of the 7th year of Kayei, corresponding to the 14th day of October, 1854, and of the 13th day of the 5th month of the 2nd year of Keiou, corresponding to the 25th day of June, 1866, the Treaty of the 18th day of the 7th month of the 5th year of Ansei, corresponding to the 26th day of August, 1858, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such Conventions, Treaty, Arrangements, and Agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by British Courts in Japan, and all the exceptional

privileges, exemptions, and immunities then enjoyed by British subjects as a part of or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

ARTICLE XXI.

Coming into Force and Duration of Treaty.

The present Treaty shall not take effect until at least five years after its signature. It shall come into force one year after His Imperial Japanese Majesty's Government shall have given notice to Her Britannic Majesty's Government of its wish to have the same brought into operation. Such notice may be given at any time after the expiration of four years from the date hereof. The Treaty shall remain in force for the period of twelve years from the date it goes into operation.

Either High Contracting Party shall have the right, at any time after eleven years shall have elapsed from the date this Treaty takes effect, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine.

ARTICLE XXII.

Ratifications.

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Tôkiô as soon as possible, and not later than six months from the present date.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at London, in duplicate, this sixteenth day of July, in the year of our Lord one thousand eight hundred and ninety-four.

(L.S.) KIMBERLEY.
(L.S.) AOKI.

The following British Colonies have acceded to the above Treaty:—Canada (see p. 535), Newfoundland, India (see p. 533), Queensland (see p. 529), Natal.

No. 101.

PROTOCOL BETWEEN GREAT BRITAIN AND JAPAN.

Signed at London, July 16, 1894.

THE Government of Her Majesty the Queen of Great Britain and Ireland and Empress of India, and the Government of His Majesty the Emperor of Japan, deeming it advisable in the interests of both countries to regulate certain special matters of mutual concern, apart from the Treaty of Commerce and Navigation signed this day, have, through their respective Plenipotentiaries, agreed upon the following stipulations:—

Import Tariff.

1. It is agreed by the Contracting Parties that one month after the exchange of the ratifications of the Treaty of Commerce and Navigation signed this day, the Import Tariff hereunto annexed shall, subject to the provisions of Article XXIII of the Treaty of 1858 at present subsisting between the Contracting Parties, as long as the said Treaty remains in force and thereafter, subject to the provisions of Articles V and XV of the Treaty signed this day, be applicable to the articles therein enumerated, being the growth, produce, or manufacture of the dominions and possessions of Her Britannic Majesty, upon importation into Japan. But nothing contained in this Protocol, or the Tariff hereunto annexed, shall be held to limit or qualify the right of the Japanese Government to restrict or to prohibit the importation of adulterated drugs, medicines, food, or beverages; indecent or obscene prints, paintings, books, cards, lithographic or other engravings, photographs, or any other indecent or obscene articles; articles in violation of patent, trade-mark, or copyright laws of Japan; or any other article which for sanitary reasons, or in view of public security or morals, might offer any danger.

The *ad valorem* duties established by the said Tariff shall, so far as may be deemed practicable, be converted into specific duties by a Supplementary Convention, which shall be concluded between the two Governments within six months from the date of this Protocol; the medium prices, as shown by the Japanese Customs Returns during the six calendar months preceding the date of the present Protocol, with the addition of the cost of insurance and transportation from the place of

purchase, production, or fabrication, to the port of discharge, as well as commission, if any, shall be taken as the basis for such conversion. In the event of the Supplementary Convention not having come into force before the expiration of the period fixed for the said Tariff to take effect, *ad valorem* duties in conformity with the rule recited at the end of the said Tariff shall, in the meantime, be levied.

In respect of articles not enumerated in the said Tariff, the General Statutory Tariff of Japan for the time being in force shall, from the same time, apply, subject, as aforesaid, to the provisions of Article XXIII of the Treaty of 1858 and Articles V and XV of the Treaty signed this day respectively.

From the date the Tariffs aforesaid take effect, the Import Tariff now in operation in Japan in respect of goods and merchandize imported into Japan by British subjects shall cease to be binding.

In all other respects the stipulations of the existing Treaties and Conventions shall be maintained unconditionally until the time when the Treaty of Commerce and Navigation signed this day comes into force.

Passports.

2. The Japanese Government, pending the opening of the country to British subjects, agrees to extend the existing passport system in such a manner as to allow British subjects, on the production of a certificate of recommendation from the British Representative in Tôkiô, or from any of Her Majesty's Consuls at the open ports in Japan, to obtain upon application passports available for any part of the country, and for any period not exceeding twelve months, from the Imperial Japanese Foreign Office in Tôkiô, or from the chief authorities in the Prefecture in which an open port is situated; it being understood that the existing Rules and Regulations governing British subjects who visit the interior of the Empire are to be maintained.

Protection of Industrial Property and Copyright.

3. The Japanese Government undertakes, before the cessation of British Consular jurisdiction in Japan, to join the International Conventions for the Protection of Industrial Property and Copyright.

Duties on British Refined Sugar.—Most-favoured-nation Treatment.

4. It is understood between the two High Contracting Parties that, if Japan think it necessary at any time to levy

an additional duty on the production or manufacture of refined sugar in Japan, an increased customs duty equivalent in amount may be levied on British refined sugar when imported into Japan, so long as such additional excise tax or inland duty continues to be raised:

Provided always that British refined sugar shall in this respect be entitled to the treatment accorded to refined sugar being the produce or manufacture of the most favoured nation.

Ratifications.—Duration of Protocol.

5. The undersigned Plenipotentiaries have agreed that this Protocol shall be submitted to the two High Contracting Parties at the same time as the Treaty of Commerce and Navigation signed this day, and that when the said Treaty is ratified the agreements contained in the Protocol shall also equally be considered as approved, without the necessity of a further formal ratification.

It is also agreed that this Protocol shall terminate at the same time the said Treaty ceases to be binding.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at London, in duplicate, this sixteenth day of July, in the year of our Lord one thousand eight hundred and ninety-four.

(L.S.) KIMBERLEY.
(L.S.) AOKI.

Annex.

TARIFF.

[Replaced by Tariff annexed to Convention of July 16, 1895,
see p. 526.]

EXCHANGE OF NOTES.

British Colonies acceding to Treaty of July 16, 1894, not to be bound by Stipulations of Article II.

The Earl of Kimberley to Viscount Aoki.

Sir, Foreign Office, July 16, 1894.

WITH reference to Article XIX of the Treaty between Great Britain and Japan signed this day, in view of the fact that

some of the British Colonies and foreign possessions enumerated in that Article might be prevented from acceding to the present Treaty by reason of their inability to accept the stipulations relating to military service contained in Article II of the said Treaty, and in order to avoid future misunderstandings, Her Majesty's Government request from the Government of Japan an assurance that any of the said British Colonies and possessions may accede to the present Treaty under the condition that, notwithstanding such accession, they shall not be bound by the stipulations of Article II.

I have, &c.

(Signed) KIMBERLEY.

Viscount Aoki to the Earl of Kimberley.

Japanese Legation,

M. le Comte, _____ London, July 16, 1894.

IN reply to the note of Her Majesty's Government, referring to Article XIX of the Treaty between Great Britain and Japan signed this day, and requesting, for the reasons given in the said note, an assurance that any of the British Colonies and foreign possessions enumerated in that Article may accede to the present Treaty under the condition that, notwithstanding such accession, they shall not be bound by the stipulations of Article II, the Government of Japan hereby give the assurance desired.

I have, &c.

(Signed) AOKI.

*Japanese Codes to be in operation before Treaty of July 16, 1894,
comes into force.*

Viscount Aoki to the Earl of Kimberley.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Japan, in virtue of special authorization from His Imperial Japanese Majesty's Government, has the honour to announce to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs that the Imperial Japanese Government, recognizing the advantage of having the Codes of the Empire which have already been promulgated in actual operation when the Treaty stipulations at present subsisting between the Government of Japan and that of Great Britain cease to be binding, engage not to give the notice provided for by the first paragraph of Article XXI of

the Treaty of Commerce and Navigation, signed this day, until those portions of said Codes which are now in abeyance are brought into actual force.

The Undersigned avails, &c.

(Signed) I. AOKI.

*Japanese Legation,
London, July 16, 1894.*

No. 102.

SUPPLEMENTARY CONVENTION BETWEEN GREAT BRITAIN AND
JAPAN RESPECTING THE DUTIES TO BE CHARGED ON BRITISH
GOODS IMPORTED INTO JAPAN.

Signed at Tōkiō, July 16, 1895.

[*Ratifications exchanged at Tōkiō November 21, 1895.*]

WHEREAS, by the Protocol signed at London, on the 16th of July, 1894, it was agreed between the Government of Her Britannic Majesty and the Government of His Majesty the Emperor of Japan that the *ad valorem* duties of the Tariff annexed to the aforesaid Protocol should, so far as might be deemed practicable, be converted into specific duties by means of a Supplementary Convention to be concluded between the two Governments within six months from the date of that Protocol; and

Whereas this period was extended by subsequent arrangement:

The High Contracting Parties have appointed as their Plenipotentiaries to conclude a Convention for this purpose, that is to say:

Her Britannic Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Gerard Augustus Lowther, Her Britannic Majesty's Chargé d'Affaires;

And His Majesty the Emperor of Japan, Marquis Saionji Kimmochi, Junii, First Class of the Order of the Sacred Treasure, His Imperial Majesty's Minister of State for Education, and Acting Minister of State for Foreign Affairs;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:—

Tariff.

1. The Tariff annexed to this Convention shall be substituted for the *ad valorem* Tariff annexed to the aforesaid Protocol of the 16th of July, 1894; it shall be subject to all the stipulations contained in Article 1 of that Protocol, in so far as these are applicable, and it shall come into force one month after the exchange of the ratifications of this Convention.

Triennial Readjustment of Duties.

2. The specific duties established by this Convention shall be subject to triennial readjustment. Such readjustment shall be based on the difference between the average of the two quarterly rates of exchange adopted by the Japanese Customs during the six months ending June 30th, 1894, and the average of the rates of exchange adopted by the Japanese Customs for the four quarters preceding that in which each successive period of three years expires.

The Schedule of readjusted duties shall be published by the Japanese Government three months in advance, and shall take effect immediately upon the expiration of the said period.

It is understood between the High Contracting Parties that the operation of this stipulation shall be subject to the acceptance of a similar arrangement by the other Powers with whom Conventional Tariffs are now being negotiated by Japan.

Rates of Exchange.

3. The quarterly rates of exchange mentioned in the preceding Article are the rates determining the comparative values, as entered in the quarterly Tables published by the Japanese Department of Finance, of the present Japanese silver yen on the one hand, and the English pound sterling on the other.

Duration of Convention.

4. The present Convention shall have the same duration as the Treaty and Protocol concluded on the 16th of July, 1894, of which it is a complement.

Ratifications.

5. The present Convention shall be ratified, and the ratifications shall be exchanged at Tôkiô as soon as possible, and not later than six months from the present date.

Done at Tôkiô, in duplicate, this 16th day of July, 1895.

(Signed) (L.S.) GERARD AUGUSTUS LOWTHER.
(L.S.) MARQUIS SAÏONZI.

Annex.

TARIFF.

No.	Articles.		Duty.
			Yen.
1	Caoutchouc, manufactures of	<i>Ad valorem</i>	10 per cent.
2	Cement, Portland	100 catties	0·065
3	Cotton yarns, plain or dyed	"	4·180
	Cotton tissues—		
4	Drills	Square yard	0·016
5	Duck	"	0·053
6	Handkerchiefs in the piece	"	0·011
7	Prints	"	0·012
8	Sateens, plain, figured or printed, brocades, Italians and figured shirtings	"	0·017
9	Shirtings, dyed	"	0·013
10	" grey	"	0·006
11	" twilled	"	0·011
12	" white or bleached	"	0·010
13	T-cloths	"	0·009
14	Turkey red cambrics	"	0·012
15	Velvets or velveteens	"	0·041
16	Victoria lawns	"	0·006
17	All other sorts of pure cotton tissues, and all tissues of cotton mixed with flax, hemp, or other fibre, including wool, the cotton, however, predominating in weight, not specially provided for in this Tariff	<i>Ad valorem</i>	10 per cent.
	<i>Note.</i> —It is expressly understood that ready-made clothing and other made-up articles are not included under the heading of Cotton Tissues.		
18	Glass, window, ordinary—		
	(a.) Uncoloured and unstained	100 sq. ft.	0·302
	(b.) Coloured, stained, and ground	<i>Ad valorem</i>	10 per cent.
19	Hats, including also hats of felt	10	"
20	Indigo, dry	100 catties	12·953
	Iron and mild steel—		
21	Pig and ingot	"	0·083
22	Bar and rod, exceeding $\frac{1}{4}$ inch in diameter	"	0·261
23	Nails, including spikes, sprigs, tacks, and brads—		
	(a.) Plain	"	0·573
	(b.) Galvanized	<i>Ad valorem</i>	10 per cent.
24	Pipes and tubes	10	"
25	Plate and sheet	100 catties	0·296
26	Rails	"	0·129
27	Screws, bolts, and nuts, plain, and galvanized	<i>Ad valorem</i>	10 per cent.
28	Sheet, galvanized, both plain and corrugated	100 catties	0·740

No.	Articles.		Duty.
29	Tinned plates— (a.) Ordinary (b.) Crystallized	100 catties <i>Ad valorem</i>	Yen. 0·691 10 per cent.
30	Wire, and small rod not exceeding $\frac{1}{4}$ inch in diameter... ..	100 catties	0·503
31	Wire, telegraph or galvanized	„	0·256
<p><i>Note.</i>—By the term “mild steel” as used in this Tariff is understood mild steel manufactured by the Siemens, Bessemer, Basic, or similar processes, and approximating in value to iron of the same class in this Tariff.</p>			
32	Lead, pig, ingot, and slab	„	0·316
33	Leather— (a.) Sole (b.) Other kinds	„ <i>Ad valorem</i>	5·690 10 per cent.
34	Linen yarns, plain or dyed	100 catties	6·527
Linen tissues—			
35	Canvas	Square yard	0·047
36	All other sorts	<i>Ad valorem</i>	10 per cent.
<p><i>Note.</i>—It is expressly understood that ready-made clothing and other made-up articles are not included under the heading of Linen Tissues.</p>			
37	Mercury or quicksilver	100 catties	5·048
38	Milk, condensed or desiccated	Dozen 1-lb. tins and proportionately for tins of other weights.	0·123
39	Oil, paraffin	<i>Ad valorem</i>	10 per cent.
40	Paint in oil	100 catties	1·304
41	Paper, printing	„	1·163
42	Saltpetre (nitrate of potash)	„	0·490
43	Silk-faced cotton satins	<i>Ad valorem</i>	15 per cent.
<p><i>Note.</i>—It is expressly understood that all other mixed tissues of cotton and silk, and of wool and silk, where the cotton or wool predominates in weight, are to be classed for duty under Nos. 17 and 61 of this Tariff respectively.</p>			
Steel (other than mild steel)—			
44	Ingot	„	5 „
45	Bar, rod, plate, and sheet	„	7½ „
46	Wire, and small rod not exceeding $\frac{1}{4}$ inch in diameter	100 catties	1·819
47	Sugar, refined— (a.) No. 15 to No. 20, inclusive, Dutch standard in colour (b.) Above No. 20 Dutch standard in colour	„ „ „	0·748 0·827
Tin—			
48	Block, pig, and slab	„	1·992
49	Plates	<i>Ad valorem</i>	10 per cent.

No.	Articles.		Duty.
50	Wax, paraffin	100 catties	Yen. 0·544
51	Woollen and worsted yarns, plain or dyed	"	9·169
	Woollen and worsted tissues, pure or mixed with other material—		
52	Alpacas	Square yard	0·075
53	Blanketing and whipped blankets in plain weave	100 catties	7·458
54	Buntings	Square yard	0·031
55	Cloth—		
	(a.) Wholly of woollen or worsted yarn, or of woollen or worsted yarns, such as broad, narrow, and army cloth, cassimeres, tweeds and worsted coatings ...	"	0·093
	(b.) In part of woollen or worsted yarn and in part of cotton yarn, such as pilot, president, and union cloth	"	0·039
56	Flannels	"	0·044
57	Italian cloth	"	0·029
58	Long ells	"	0·036
59	Mousseline de laine	"	0·021
60	Serges—		
	(a.) Where the warp is worsted and the weft woollen	"	0·056
	(b.) All other kinds	<i>Ad valorem</i>	10 per cent.
61	All other sorts, pure or mixed with other material, the wool, however, predominating in weight, not specially provided for in this Tariff ...	"	10 "
	<i>Note.</i> —It is expressly understood that ready-made clothing and other made-up articles are not included under the heading of Woollen and Worsted Tissues.		
62	Yarns, all sorts, not specially provided for in this Tariff	"	10 "
	Zinc—		
63	Block, pig, and slab	100 catties	0·451
64	Sheet	"	0·928

Weights, Measures, and Coins.

The catty mentioned in this Tariff is the Japanese weight. It is equal to 600 grammes of the metric system of weights, or 1·32277 lb. English avoirdupois weight.

The pound is the English avoirdupois weight.

The square yard and square foot are the English Imperial surface measures.

The yen is the present Japanese silver yen of 900 fineness and 416 grains in weight.

Rule for calculating ad valorem Duties.

Import duties payable *ad valorem* under this Tariff shall be calculated on the actual cost of the articles at the place of purchase, production, or fabrication, with the addition of the cost of insurance and transportation from the place of purchase, production, or fabrication, to the port of discharge, as well as commission, if any exists.

Rule for the Measurement of Tissues.

In determining the dutiable width of any tissue the Customs shall discard all fractions of an inch not exceeding half an inch, and shall count as a full inch all fractions exceeding half an inch.

Note.—It is understood that selvages shall not be included in the measurement of tissues.

No. 103.

PROTOCOL BETWEEN GREAT BRITAIN AND JAPAN PROVIDING
FOR THE ACCESSION OF QUEENSLAND TO THE COMMERCIAL
TREATY OF JULY 16, 1894.

Signed at Tôkiô, March 16, 1897.

WHEREAS Queensland, a Colony of Her Britannic Majesty, has this day, in due form, acceded to the Treaty of Commerce and Navigation between Japan and Great Britain, signed in London on the 16th day of the 7th month of the 27th year of Meiji (July 16, 1894), in accordance with the provisions of Article XIX thereof;

The Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary and His Imperial Japanese Majesty's Minister of State for Foreign Affairs, duly authorized thereto by their respective Governments, have agreed—

1. That the stipulations contained in Articles I and III of the above-named Treaty shall not in any way affect the laws, ordinances, and regulations with regard to trade, the immigration of labourers and artisans, police, and public security, which are in force or may hereafter be enacted in Japan or in the said Colony of Queensland.

2. That the said Treaty shall cease to be binding, as between Japan and the said Colony of Queensland, at the expiration of

twelve months after notice shall have been given on either side of a desire to terminate the same.

In witness whereof the Undersigned have signed the present Protocol, and affixed thereto their seals.

Done at Tôkiô, this 16th day of the 3rd month of the 30th year of Meiji (March 16, 1897).

(L.S.) ERNEST SATOW.

*(Seal and Signature of Minister for
Foreign Affairs of Japan.)*

No. 104.

PROTOCOL BETWEEN GREAT BRITAIN AND JAPAN RESPECTING
PATENTS, TRADE-MARKS, AND DESIGNS.

Signed at London, October 20, 1897.

WHEREAS, by Treaty, Her Britannic Majesty has jurisdiction in relation to her subjects within the dominions of His Majesty the Emperor of Japan;

Whereas, by Article XVII of a Treaty signed between Great Britain and Japan on the 16th July, 1894, it is stipulated as follows: "The subjects of each of the High Contracting Parties shall enjoy in the dominions and the possessions of the other the same protection as native subjects in regard to patents, trade-marks, and designs, upon fulfilment of the formalities prescribed by law;"

Whereas, by Article XX of the same Treaty, it is agreed that, from the date on which such Treaty comes into force, the jurisdiction then exercised by British Courts in Japan shall cease, and that such jurisdiction shall be assumed and exercised by Japanese Courts;

And whereas it has been agreed between the Governments of Great Britain and Japan that the provisions of the above-mentioned Article XVII shall come into force at once;

The Undersigned, duly authorized for that purpose by their

respective Governments, have agreed upon the following Articles:—

ARTICLE I.

Abrogation of British Extra-territorial Jurisdiction as to Trade-marks, &c.

Her Britannic Majesty consents to renounce all extra-territorial jurisdiction at present exercisable by British Courts in Japan for the judicial hearing and determination of matters in difference between British subjects and subjects of His Majesty the Emperor of Japan, or for the repression of crimes or offences committed by British subjects, in so far as it applies to the protection of patents, trade-marks, and designs.

ARTICLE II.

Article I not to come into force until all other Powers have renounced Extra-territorial Jurisdiction as to Trade-marks, &c.

The foregoing Article shall not take effect until all other Powers which enjoy similar benefits to those conferred by Article XVII of the Treaty between Great Britain and Japan of the 16th July, 1894, and which possess extra-territorial jurisdiction in Japan, shall similarly have renounced their right to exercise such jurisdiction between their own subjects or citizens respectively, and subjects of His Majesty the Emperor of Japan, as well as for the repression of crimes or offences committed by their own subjects or citizens respectively, in so far as it applies to the protection of patents, trade-marks, and designs.

In witness whereof the Undersigned have signed the above Protocol, and have affixed thereto the seal of their arms.

Done at London, the 20th day of October, 1897.

(L.S.) SALISBURY.
(L.S.) KATO.

No. 105.

ACCESSION OF JAPAN TO THE INDUSTRIAL PROPERTY CON-
VENTION OF MARCH 20, 1883.

May 4, 1899.

(No. 1.)

M. Bourcart to the Marquess of Salisbury.

M. le Marquis,

Londres, le 4 Mai, 1899.

PAR une note en date du 18 Avril dernier, le Ministre du Japon à Vienne a fait connaître au Conseil Fédéral Suisse l'adhésion de son Gouvernement à la Convention du 20 Mars, 1883, créant une Union pour la Protection de la Propriété Industrielle, pour valoir à partir du 15 Juillet, 1899. Cette note ajoute que le Gouvernement Japonais n'a pas l'intention d'adhérer, pour le moment, aux deux arrangements de Madrid du 14 Avril, 1891, concernant: l'un, les fausses indications de provenance, et l'autre, l'enregistrement international des marques de fabrique et de commerce.

En ce qui concerne la contribution aux dépenses du Bureau International de Berne, l'Empire du Japon sera rangé dans la deuxième classe.

Mon Gouvernement me charge de prier votre Seigneurie de vouloir bien prendre note de cette adhésion, et je saisis, &c.

(Signé) C. D. BOURCART.

(No. 2.)*The Marquess of Salisbury to M. Bourcart.*

Sir,

Foreign Office, May 15, 1899.

I HAVE the honour to acknowledge the receipt of your note of the 4th instant, notifying the accession of Japan to the Convention of the 20th March, 1883, creating a Union for the Protection of Industrial Property, which accession is to take effect from the 15th July next.

I note that, for the present, Japan does not intend to accede to the first two Protocols, which were adopted by the Conference of Madrid on the 14th April, 1891, viz.:—

The arrangement respecting the prevention of false indications of origin on goods; and the arrangement respecting the international registration of trade-marks.

I note also that Japan will rank in the second class with

respect to the contribution to the expenses of the International Bureau.

I beg leave to thank you for this communication, and I have, &c.

(Signed) SALISBURY.

No. 106.

CONVENTION BETWEEN GREAT BRITAIN AND JAPAN RESPECTING
COMMERCIAL RELATIONS BETWEEN JAPAN AND INDIA.

Signed at Tôkiô, August 29, 1904.

[*Ratifications exchanged at Tôkiô, March 15, 1905.*]

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of Japan, being equally desirous of facilitating the commercial relations between Japan and India have resolved to conclude a Convention to that effect, and have named as their respective Plenipotentiaries :

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Sir Claude Maxwell MacDonald, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Knight Commander of the Most Honourable Order of the Bath, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary ; and

His Majesty the Emperor of Japan, Baron Jutaro Komura, Jusammi, First Class of the Imperial Order of the Rising Sun, His Imperial Majesty's Minister of State for Foreign Affairs ;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows :—

ARTICLE I.

Duties on Japanese Produce and Manufacture imported into India.—Most-favoured-nation Treatment.

Any article, the produce or manufacture of the dominions and possessions of His Majesty the Emperor of Japan shall enjoy, upon importation into India, the lowest customs duties applicable to similar products of any other foreign origin.

ARTICLE II.

Duties on Indian Produce or Manufacture imported into Japan.—Most-favoured-nation Treatment.

Reciprocally any article, the produce or manufacture of India shall enjoy, upon importation into the dominions and possessions of His Majesty the Emperor of Japan, the lowest customs duties applicable to similar products of any other foreign origin.

ARTICLE III.

Application of Convention to Native States of India.

The privileges and engagements of the present Convention shall extend to native States of India which by Treaty with His Britannic Majesty or otherwise may be entitled to be placed with regard to the stipulations of the Convention on the same footing as British India.

His Britannic Majesty's Government shall communicate from time to time to the Imperial Government of Japan a list of these States.

ARTICLE IV.

Ratifications.—Duration of Convention.

The present Convention shall be ratified, and the ratifications shall be exchanged at Tôkiô as soon as possible. It shall come into effect immediately after the exchange of ratifications, and shall remain in force until the expiration of six months from the day on which one of the High Contracting Parties shall have announced the intention of terminating it.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done in duplicate at Tôkiô, in the English and Japanese languages, this 29th day of August, of year one thousand nine hundred and four, corresponding to the 29th day of 8th month of the 37th year of Meiji.

(L.S.) CLAUDE M. MacDONALD,
*His Britannic Majesty's Envoy Extraordinary and
Minister Plenipotentiary.*

(L.S.) BARON JUTARO KOMURA,
*His Imperial Japanese Majesty's Minister of State for
Foreign Affairs.*

No. 107.

CONVENTION BETWEEN GREAT BRITAIN AND JAPAN RESPECTING
COMMERCIAL RELATIONS BETWEEN CANADA AND JAPAN.

*Signed at Tôkiô, January 31, 1906.**

[*Ratifications exchanged at Tôkiô, July 12, 1906.*]

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of Japan, being equally desirous of facilitating the commercial relations between Japan and Canada, have resolved to conclude a Convention to that effect, and have named as their respective Plenipotentiaries:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Sir Claude Maxwell MacDonald, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Knight Commander of the Most Honourable Order of the Bath, His Britannic Majesty's Ambassador to Japan; and

His Majesty the Emperor of Japan, Takaaki Kato, Shoshii, First Class of the Imperial Order of the Sacred Treasure, His Imperial Majesty's Minister of State for Foreign Affairs;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed as follows:—

ARTICLE I.

*Application of Treaty of 1894 and Convention of 1895 to
Commercial Relations between Canada and Japan.*

The two High Contracting Parties agree that the stipulations of the Treaty of Commerce and Navigation between Great Britain and Japan signed at London on the 16th day of July, 1894 (corresponding to the 16th day of the 7th month of the 27th year of Meiji), and of the Supplementary Convention between Great Britain and Japan signed at Tôkiô on the 16th day of July, 1895 (corresponding to the 16th day of the 7th month of the 28th year of Meiji), shall be applied to the intercourse, commerce and navigation between the Empire of Japan and the British Dominion of Canada.

* Signed also in Japanese.

ARTICLE II.

Ratifications.

The present Convention shall be ratified, and the ratifications thereof shall be exchanged at Tôkiô as soon as possible. It shall come into effect immediately after the exchange of ratifications, and shall remain in force until the expiration of six months from the day on which one of the High Contracting Parties shall have announced the intention of terminating it.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done in duplicate at Tôkiô, in the Japanese and English languages, this 31st day of January, of year one thousand nine hundred and six, corresponding to the 31st day of the 1st month of the 39th year of Meiji.

(L.S.) CLAUDE M. MACDONALD.
(L.S.) KATO TAKAAKI.

LIBERIA.

No. 108.

**TREATY OF FRIENDSHIP AND COMMERCE BETWEEN GREAT
BRITAIN AND LIBERIA.**

Signed at London, November 21, 1848.

[Ratifications exchanged at London, August 1, 1849.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Republic of Liberia, being desirous to conclude a Treaty of Peace and Friendship, and to regulate thereby the commercial intercourse between the dominions and subjects of Her Majesty and the territories and citizens of the Republic; Her Majesty has for this purpose named as Her Plenipotentiaries, that is to say:

The Right Honourable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, Knight Grand Cross of the Most Honourable Order of the Bath, and Her Britannic Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Henry Labouchere, a Member of Her Majesty's Most Honourable Privy Council, a Member of Parliament, and President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations;

And the Republic of Liberia having, by resolutions of the Legislature, bearing date the 4th of February, 1848, authorized and empowered Joseph Jenkins Roberts, the President of the Republic, to conclude such a Treaty on behalf of the Republic;

The Plenipotentiaries of Her Majesty, and the said President of the Republic, after having communicated to each other their respective powers, have agreed upon and concluded the following Articles:—

ARTICLE I.

Peace and Friendship.

There shall be perpetual Peace and Friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Her heirs and successors, and the Republic of Liberia, and between their respective subjects and citizens.

ARTICLE II.

Freedom of Commerce and Residence.—Protection of Persons and Property.—Trade.—General Most-favoured-nation Treatment.

There shall be reciprocal freedom of commerce between the British dominions and the Republic of Liberia. The subjects of Her Britannic Majesty may reside in, and trade to, any part of the territories of the Republic to which any other foreigners are or shall be admitted. They shall enjoy full protection for their persons and properties; they shall be allowed to buy from and to sell to whom they like, without being restrained or prejudiced by any monopoly, contract, or exclusive privilege of sale or purchase whatever; and they shall moreover enjoy all other rights and privileges which are or may be granted to any other foreigners, subjects or citizens of the most favoured nation. The citizens of the Republic of Liberia shall, in return, enjoy similar protection and privileges in the dominions of Her Britannic Majesty.

ARTICLE III.

Vessels and Cargoes.—Tonnage and other Duties.—National Treatment.

No tonnage, import, or other duties or charges, shall be levied in the Republic of Liberia on British vessels, or on goods imported or exported in British vessels, beyond what are or may be levied on national vessels, or on the like goods imported or exported in national vessels; and in like manner, no tonnage, import, or other duties or charges, shall be levied in the British dominions on vessels of the Republic, or on goods imported or exported in those vessels, beyond what are or may be levied on national vessels, or on the like goods imported or exported in national vessels.

ARTICLE IV.

Imports: Duties and Prohibitions. — Most-favoured-nation Treatment.

Merchandise or goods coming from the British dominions in any vessel, or imported in British vessels from any country,

shall not be prohibited by the Republic of Liberia, nor be subject to higher duties than are levied on the same kinds of merchandize or goods coming from any other foreign country, or imported in any other vessels.

Exports.—Most-favoured-nation Treatment.

All articles the produce of the Republic may be exported therefrom by British subjects and British vessels, on as favourable terms as by the subjects and vessels of any other foreign country.

ARTICLE V.

Goods imported by Liberian Government for Revenue Purposes.

It being the intention of the Government of the Republic of Liberia to trade in certain articles of import, with a view to raising a revenue by selling them at a fixed advance upon the cost price, it is hereby agreed that in no case shall private merchants be absolutely prohibited from importing any of such articles, or any article in which the Government of the Republic may at any time see fit to trade; nor shall such articles, or any article in which the Government of the Republic may at any time see fit to trade, be subject to a duty of a greater amount than the amount of the advance upon the cost price at which the Government may from time to time be bound to sell the same.

In case the Government of the Republic shall at any time fix the price of any article of native produce, with a view to such article being taken in payment for any articles in which the Government may trade, such article of native produce shall be received into the Treasury at the same fixed price, in payment of taxes, from all persons trading with the Republic.

ARTICLE VI.

Wrecks and Salvage.

The protection of the Government of the Republic shall be afforded to all British vessels, their officers and crews. If any such vessels should be wrecked on the coast of the Republic, the local authorities shall succour them, and shall secure them from plunder, and shall cause all articles saved from the wreck to be restored to their lawful owners. The amount of salvage dues in such cases shall be regulated, in the event of dispute, by arbitrators chosen by both parties.

ARTICLE VII.

Commerce and Navigation.—Most-favoured-nation Treatment.

It being the intention of the two Contracting Parties to bind themselves by the present Treaty to treat each other on the footing of the most favoured nation, it is hereby agreed between them, that any favour, privilege, or immunity whatever, in matters of commerce and navigation, which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the subjects or citizens of the other Contracting Party, gratuitously, if the concession in favour of that other State shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

ARTICLE VIII.

Appointment of Consular Officers.

Each Contracting Party may appoint Consuls for the protection of trade, to reside in the dominions of the other; but no such Consul shall enter upon the exercise of his functions until he shall have been approved and admitted, in the usual form, by the Government of the country to which he is sent.

ARTICLE IX.

Slave Trade.

Slavery and the Slave Trade being perpetually abolished in the Republic of Liberia, the Republic engages that a law shall be passed, declaring it to be piracy for any Liberian citizen or vessel to be engaged or concerned in the Slave Trade.

The Republic engages to permit any British vessel of war which may be furnished with special Instructions under the Treaties between Great Britain and Foreign Powers for the prevention of the Slave Trade, to visit any vessels sailing under the Liberian flag, which may, on reasonable grounds, be suspected of being engaged in the Slave Trade; and if, by the result of the visit, it should appear to the officer in command of such British vessel of war that the suspicions which led thereto are well grounded, the vessel shall be sent without delay to a Liberian port, and shall be delivered up to the Liberian authorities, to be proceeded against according to the laws of the Republic.

ARTICLE X.

Visit of British Vessels of War for Suppression of Slave Trade.

The Republic of Liberia further engages to permit any British vessel of war which may be furnished with special instructions as aforesaid, to visit, on the coast within the jurisdiction of the Republic, or in the ports of the same, any vessel which may be suspected of being engaged in the Slave Trade, and which shall be found sailing under any flag whatever, or without any flag; and if the suspicions which led to the visit should appear to the officer in command of such British vessel of war to be well grounded, to detain such vessel, in order to send it as soon as possible before the competent court for adjudication.

Duly constituted ports of entry in the Republic of Liberia shall be excepted from the operation of the stipulations of the present Article; and no vessel shall be visited by a British cruiser within the limits of such ports, except on permission specially granted by the local authorities.

ARTICLE XI.

Ratifications.

The present Treaty shall be ratified, and the ratifications shall be exchanged at London within the space of twelve months from the date hereof.

In witness whereof the Plenipotentiaries of Her Britannic Majesty, and the President of the Republic of Liberia, have signed the same, and have affixed thereto their respective seals.

Done at London, the twenty-first day of November, in the year of our Lord one thousand eight hundred and forty-eight.

(L.S.) PALMERSTON.
(L.S.) H. LABOUCHERE.
(L.S.) J. J. ROBERTS.

LUXEMBURG.

No. 109.

DECLARATION BETWEEN THE UNITED KINGDOM AND THE GRAND DUCHY OF LUXEMBURG RESPECTING THE RECIPROCAL PROTECTION OF TRADE-MARKS.

*Signed at Luxembourg, January 25, 1900.**

THE Government of the United Kingdom of Great Britain and Ireland, and the Government of the Grand Duchy of Luxemburg, being desirous of securing a complete and effective protection to the manufacturing industry of the native subjects of the two countries, the Undersigned, being duly authorized to that effect, have agreed upon the following provisions:—

ARTICLE I.

Protection of Trade-marks.—National Treatment.

British subjects in the Grand Duchy of Luxemburg, and Luxemburg subjects in the United Kingdom of Great Britain and Ireland, shall enjoy, with regard to marks of manufacture and trade, the same protection as native subjects.

ARTICLE II.

Legal Formalities.

In order to secure for their marks the protection stipulated for by the preceding Article, British subjects in the Grand Duchy of Luxemburg, and Luxemburg subjects in the United Kingdom of Great Britain and Ireland, must fulfil the formalities prescribed to that effect by the laws of the two countries.

ARTICLE III.

Duration of Arrangement.

The present Arrangement shall take effect from the date of its official publication in the two countries, and shall remain in

* Signed also in French.

force until the expiration of the twelve months immediately following a denunciation made by one or the other of the Contracting Parties.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto the seal of their arms.

Done in duplicate in Luxembourg, the 25th January, 1900.

(L.S.) HENRY HOWARD.
(L.S.) EYSCHEN.

No. 110.

ACCESSION OF GRAND DUCHY OF LUXEMBURG TO THE INTERNATIONAL SUGAR CONVENTION OF MARCH 5, 1902.

August 29, 1903.

Count de Lalaing to the Marquess of Lansdowne.

M. le Marquis,

Londres, le 29 Août, 1903.

AINSI que j'ai eu l'honneur de l'annoncer à votre Seigneurie, à la date du 16 Mai dernier, la Commission Permanente, instituée par la Convention des Sucres du 5 Mars, 1902, a été saisie de la demande d'accession formulée par le Gouvernement du Grand-Duché de Luxembourg.

L'examen dont la législation Luxembourgeoise a fait l'objet ayant permis de constater que celle-ci satisfait aux prescriptions de la Convention de Bruxelles, la Commission Permanente s'est prononcée en faveur de l'admission du Grand-Duché au nombre des États faisant partie de l'Union Sucrière.

En portant cette notification d'accession, prévue à l'Article IX de l'Acte du 5 Mars, 1902, à la connaissance de votre Seigneurie, je la prie d'agréer les assurances, &c.

(Signé) LALAING,

MEXICO.

No. 111.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN
GREAT BRITAIN AND MEXICO.*Signed at Mexico, November 27, 1888.***[Ratifications exchanged at Mexico, February 11, 1889.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Excellency the President of the United States of Mexico, being desirous of maintaining and strengthening friendly relations, and of promoting commercial intercourse between the dominions of Her Britannic Majesty and the territories of the Mexican Republic, have resolved to conclude a Treaty of Friendship, Commerce, and Navigation, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Spenser St. John, Knight Commander of St. Michael and St. George, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty in Mexico ;

And his Excellency the President of the United States of Mexico, Señor Senador Don Emilio Velasco, ex-Minister Plenipotentiary of Mexico in France, &c., &c., &c. ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Peace and Friendship.

There shall be perfect peace and sincere friendship between the United Kingdom of Great Britain and Ireland and the United States of Mexico. The High Contracting Parties shall use their best endeavours that this friendship and good understanding may be constantly and perpetually maintained.

* Signed also in Spanish.

ARTICLE II.

Commerce and Navigation.—Most-favoured-nation Treatment.

The Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever, which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party, it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

ARTICLE III.

Imports, Exports, and Transit: Duties and Prohibitions.—Most-favoured-nation Treatment.

The produce and manufactures of the dominions and possessions of Her Britannic Majesty which are imported into the United States of Mexico, and the produce and manufactures of Mexico which are imported into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, re-exportation, or transit, shall be treated in the same manner as, and, in particular, shall be subjected to no higher or other duties, whether general, municipal, or local, than the produce, manufactures, and goods of any third country the most favoured in this respect. No other or higher duties shall be levied in Mexico on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty on the exportation of any goods to Mexico, than may be levied on the exportation of the like goods to any third country the most favoured in this respect.

Neither of the Contracting Parties shall establish a prohibition of importation, exportation, re-exportation, or transit against the other which shall not, under like circumstances, be applicable to any third country the most favoured in this respect.

Local Dues, Brokerage, Commercial Travellers' Patterns, &c.—Most-favoured-nation Treatment.

In like manner, in all that relates to local dues, customs formalities, brokerage, patterns, or samples introduced by commercial travellers, and all other matters connected with trade, British subjects in Mexico, and Mexican citizens in the dominions and possessions of Her Britannic Majesty, shall enjoy most-favoured-nation treatment.

Alterations in Mexican Laws.—Tariff, &c.

In the event of any changes being made in Mexican laws, Customs Tariff or Regulations, sufficient notice shall be given, in order to enable British subjects to make the necessary arrangements for meeting them.

The Mexican authorities shall, moreover, deal equitably with all cases arising from unintentional ignorance of any of the changes above mentioned.

ARTICLE IV.

Vessels and Cargoes.—Most-favoured-nation Treatment.

British ships and their cargoes shall, in Mexico, and Mexican vessels and their cargoes shall, in the dominions and possessions of Her Britannic Majesty, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as ships and cargoes of the most favoured nation.

Harbour, &c., Dues.—Pilotage, &c.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, pilotage, and, generally, to all matters connected with navigation.

Navigation.—Most-favoured-nation Treatment.

Every favour or exemption in these respects, or any other privilege in matters of navigation, which either of the Contracting Parties shall grant to a third Power, shall be extended immediately and unconditionally to the other Party.

National Vessels.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to the law of Mexico, are to be deemed Mexican vessels, shall, for the purposes of this Treaty, be respectively deemed British or Mexican vessels.

Ports.

For the same purpose shall be considered as ports of each of the Contracting Parties those which are, or hereafter may be, declared open by the respective Governments for import or export trade.

Maritime Jurisdiction.—Three Marine Leagues from Low Water-mark.

The two Contracting Parties agree to consider, as a limit of their territorial waters on their respective coasts, the distance of 3 marine leagues reckoned from the line of low water-mark. Nevertheless, this stipulation shall have no effect, excepting in what may relate to the observance and application of the Custom-house Regulations and the measures for preventing smuggling, and cannot be extended to other questions of civil or criminal jurisdiction, or of international maritime law.

ARTICLE V.

Freedom of Residence.—Hiring, &c., of Houses and Warehouses.—Acquisition and Disposal of Property.—National Treatment.

The subjects or citizens of each of the Contracting Parties shall be permitted to reside, permanently or temporarily, in the dominions or possessions of the other, and to occupy and hire houses and warehouses for purposes of commerce, whether wholesale or retail. They shall also be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable, as far as the laws of each country will permit. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as natives of the country. Their heirs and legal representatives may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as natives of the country.

Duties, &c., on Property.—National Treatment.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by natives of the country.

In every case the subjects or citizens of the Contracting Parties shall be permitted to export their property, or the proceeds thereof, if sold, freely and without being subjected on such exportation to pay any duty different from that to which natives of the country are liable under similar circumstances.

Subjects.—Rights and Obligations.—Most-favoured-nation Treatment.

The citizens or subjects of each one of the Contracting Parties, who may be residing, temporarily or permanently, in the

dominions and possessions of the other, are subject to the laws of the country where they reside, especially to those which determine the rights and obligations of foreigners, on the same conditions as those of the citizens or subjects of the most favoured nation.

ARTICLE VI.

Inviolability of Dwellings, &c.

The dwellings, manufactories, warehouses, and shops of the subjects or citizens of each of the Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto, destined for purposes of residence or commerce, shall be respected.

Domiciliary Visits, &c.—National Treatment.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws for natives of the country.

Administration of Justice.—National Treatment.

The subjects or citizens of each of the two Contracting Parties in the dominions and possessions of the other shall have free access to the Courts of Justice for the prosecution and defence of their rights, without other conditions, restrictions, or taxes beyond those imposed on natives of the country, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE VII.

Exemptions from Military Service, Forced Loans, &c.—Requisitions, &c., on Real Property.—National Treatment.

The subjects or citizens of each of the Contracting Parties in the dominions and possessions of the other shall be exempted from all compulsory military service whatever, whether in the army, navy, or national guard, or militia. They shall likewise be exempted from all contributions, whether pecuniary or in kind, imposed as a compensation for personal service, and, finally, from forced loans, and from charges, requisitions, and war contributions, unless imposed on real property, when they shall pay them equally with nationals.

ARTICLE VIII.

Protection of Persons and Property.—Most-favoured-nation Treatment.

The subjects or citizens of either of the two Contracting Parties residing in the dominions and possessions of the other shall enjoy, in regard to their houses, persons, and properties, the protection of the Government in as full and ample a manner as the subjects or citizens of the most favoured nation.

Liberty of Conscience.

In like manner the subjects or citizens of each Contracting Party shall enjoy in the dominions and possessions of the other full liberty of conscience, and shall not be molested on account of their religious belief.

ARTICLE IX.

Trade-marks, &c. — National and Most-favoured-nation Treatment.

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as natives, or as subjects or citizens of the most favoured nation, in regard to patents for inventions, trade-marks, and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE X.

Appointment and Privileges of Consular Officers.—Most-favoured-nation Treatment.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents to reside respectively in towns or ports in the dominions and possessions of the other Power, each one of them reserving the right of excepting those places where it may not appear convenient to admit them whenever this exception is extended to the Consular functionaries of all other nations.

Such Consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are, or may hereafter be, granted there to Consular officers of the most favoured nation.

Inviolability of Consular Archives.

The archives and official papers of Consular functionaries shall be respected as inviolable, without the authorities of the country being able, on any account, to seize them, or take note of their contents.

ARTICLE XI.

Seamen Deserters.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XII.

Vessels in Distress.—National Treatment.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled by stress of weather or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to continue their voyage without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

Wrecks and Salvage.—National Treatment.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground, or be wrecked within the territory of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast out of the ship, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them within the period fixed by the laws of the country; and such owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of customs unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XIII.

Rupture of Friendly Relations.—Position of Persons and Property.—National Treatment.

For the better security of commerce between the subjects of Her Britannic Majesty and the citizens of the United States of Mexico, it is agreed that, if at any time any interruption of friendly intercourse or any rupture should unfortunately take place between the two Contracting Parties, the subjects or citizens of either of the said Contracting Parties who may be residing in the dominions or territories of the other, or who may be established there, in the exercise of any trade or special employment, shall have the privilege of remaining and continuing such trade or employment, without any manner of interruption, in full enjoyment of their liberty and property, so long as they behave peacefully and commit no offence against the laws; and their goods, property, and effects, of whatever description they may be, whether in their own custody, or intrusted to individuals, or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like goods, property, and effects belonging to native subjects or citizens. Should they, however, prefer to leave the country, they shall be allowed to make arrangements for the safe keeping of their goods, property, and effects, or to dispose of them, and to liquidate their accounts; and a safe-conduct shall be given them to embark at the ports which they shall themselves select.

ARTICLE XIV.

Application to British Colonies.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty,

so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
New South Wales.
Victoria.
South Australia.
Western Australia.
Queensland.
Tasmania.
New Zealand.
The Cape.
Natal.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions, on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Mexico to the Mexican Minister for Foreign Affairs within two years from the date of the exchange of the ratifications of the present Treaty.

ARTICLE XV.

Controversies as to Interpretation or Execution of Treaty to be referred to Arbitration.

Any controversies which may arise respecting the interpretation or the execution of the present Treaty, or the consequences of any violation thereof, shall be submitted, when the means of settling them directly by amicable agreement are exhausted, to the decision of Commissions of Arbitration, and the result of such arbitration shall be binding upon both Governments.

The members of such Commissions shall be selected by the two Governments by common consent, failing which, each of the Parties shall nominate an Arbitrator, or an equal number of Arbitrators, and the Arbitrators thus appointed shall select an Umpire.

The procedure of the arbitration shall in each case be determined by the Contracting Parties, failing which the Commission of Arbitration shall be itself entitled to determine it beforehand.

ARTICLE XVI.

Duration of Treaty.

The present Treaty shall continue in force during ten years, counted from the day of the exchange of the ratifications; and in case neither of the two Contracting Parties shall have given

notice, twelve months before the expiration of the said period of ten years, of their intention of terminating the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice.

ARTICLE XVII.

Ratifications.

The present Treaty shall be ratified by Her Majesty the Queen of Great Britain and Ireland, and by his Excellency the President of the United States of Mexico, and the ratifications shall be exchanged at Mexico as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done in two originals, at the City of Mexico, the twenty-seventh day of November, one thousand eight hundred and eighty-eight.

(L.S.) SPENSER ST. JOHN.
(L.S.) EMILIO VELASCO.

LIST OF BRITISH COLONIES WHICH HAVE ACCEDED TO THE ABOVE TREATY:

Newfoundland..	..	December 12, 1889.
Victoria ..	..	" "
Western Australia ..	..	" "
Tasmania ..	..	" "
Natal ..	..	" "
South Australia ..	..	July 11, 1890.
Queensland ..	..	December 1, 1890.

THE FOLLOWING HAVE NOT ACCEDED TO THE TREATY:

India.
Canada.
Cape of Good Hope.
New Zealand.
New South Wales.

No. 112.

ACCESSION OF MEXICO TO THE INDUSTRIAL PROPERTY CONVENTION, 1883, AND ADDITIONAL ACT OF 1900.

August 13, 1903.

(No. 1.)

M. Carlin to the Marquess of Lansdowne.—(Received August 15.)

M. le Marquis,

Londres, le 13 Août, 1903.

SUR l'ordre de mon Gouvernement, j'ai l'honneur de porter à la connaissance de Votre Seigneurie que les États-Unis du Mexique ont accédé à la Convention d'Union pour la Protection de la Propriété Industrielle du 20 Mars, 1883, complétée et modifiée par l'Acte Additionnel du 14 Décembre, 1900.

Au point de vue de la répartition des frais du Bureau International, le Mexique a demandé à figurer dans la troisième des classes prévues sous le numéro 6 du Protocole de Clôture de la susdite Convention.

D'après ce qui a été disposé à l'Article XVI de la Convention révisée, et à défaut de la fixation, par le Gouvernement Mexicain, d'une date déterminée pour son entrée dans l'Union, l'accession précitée produira ses effets un mois après la date de la note du Conseil Fédéral, soit à partir du 7 Septembre, 1903.

Je serais vivement obligé à Votre Seigneurie de bien vouloir consentir à me donner acte de la présente communication, et je saisis, &c.

(Signed) CARLIN.

(No. 2.)

The Marquess of Lansdowne to M. Carlin.

Sir,

Foreign Office, August 25, 1903.

I HAVE the honour to acknowledge the receipt of your note of the 13th instant, announcing the accession of the United States of Mexico to the Convention of the 20th March, 1883, creating a Union for the Protection of Industrial Property, as completed and modified by the Additional Act of the 14th December, 1900.

I note that Mexico will rank in the third class with respect to its contribution to the expenses of the International Bureau; and that, since no date of accession has been fixed by the Mexican Government, the entry of Mexico within the Union will, in accordance with Article XVI of the revised Convention, take effect one month after the date of the note of the Federal Council communicating this intelligence, viz., on the 7th September, 1903.

I have, &c.

(Signed) LANSDOWNE.

MOROCCO.

No. 113.

GENERAL TREATY BETWEEN GREAT BRITAIN AND MOROCCO.

*Signed at Tangier, December 9, 1856.**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Sultan of Morocco and Fez, being desirous to maintain and strengthen the relations of friendship which have long subsisted between their respective dominions and subjects, have resolved to proceed to a revision and improvement of the Treaties subsisting between the respective countries, and have for that purpose named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, John Hay Drummond Hay, Esquire, Her Chargé d'Affaires and Consul-General at the Court of His Majesty the Sultan of Morocco and Fez;

And His Majesty the Sultan of Morocco and Fez, Seed Mohamed Khateeb, His Commissioner for Foreign Affairs;

Who, after having communicated to each other their respective full powers, have agreed upon and concluded the following Articles:—

ARTICLE I.

Peace and Friendship.

There shall be perpetual peace and friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, and His Sherifian Majesty the Sultan of Morocco and Fez, and between their respective dominions and subjects.

ARTICLE II.

Appointment of Consular Officers.

Her Majesty the Queen of Great Britain may appoint one or more Consuls in the dominions of the Sultan of Morocco and

* Signed also in Arabic.

Fez; and such Consul or Consuls shall be at liberty to reside in any of the sea-ports or cities of the Sultan of Morocco which they or the British Government may choose, and find most convenient for the affairs and service of Her Britannic Majesty and for the assistance of British merchants.

ARTICLE III.

Rights and Privileges of Diplomatic and Consular Officers.— Most-favoured-nation Treatment.

The British Chargé d'Affaires, or other Political Agent accredited by the Queen of Great Britain to the Sultan of Morocco, as also the British Consuls who shall reside in the dominions of the Sultan of Morocco, shall always have respect and honour paid to them, suitable to their rank. Their houses and families shall be safe and protected. No one shall interfere with them, or commit any act of oppression or disrespect towards them, either by words or by deeds; and if any one should do so, he shall receive a severe punishment, as a correction to himself and a check to others.

The said Chargé d'Affaires shall be at liberty to choose his own interpreters and servants, either from the Mussulmans or others, and neither his interpreters nor servants shall be compelled to pay any capitation tax, forced contribution, or other similar or corresponding charge. With respect to the Consuls or Vice-Consuls who shall reside at the ports under the orders of the said Chargé d'Affaires, they shall be at liberty to choose one interpreter, one guard, and two servants, either from the Mussulmans or others; and neither the interpreter, nor the guard, nor their servants, shall be compelled to pay any capitation tax, forced contribution, or other similar or corresponding charge. If the said Chargé d'Affaires should appoint a subject of the Sultan of Morocco as Vice-Consul at a Moorish port, the said Vice-Consul, and those members of his family who may dwell within his house, shall be respected, and exempted from the payment of any capitation tax, or other similar or corresponding charge; but the said Vice-Consul shall not take under his protection any subject of the Sultan of Morocco except the Members of his family dwelling under his roof. The said Chargé d'Affaires, and the said Consuls, shall be permitted to have a place of worship, and to hoist their national flag at all times on the top of the houses which they may occupy, either in the city or out of it, and also in their boats whenever they go to sea. No prohibition nor tax shall be put upon their goods, furniture, or any other articles which may come to them for their own use and for the use of their families, in the dominions of the Sultan of Morocco; but the said Chargé d'Affaires, Consuls, or Vice-Consuls, shall be required to deliver to the officers of the Customs a note of hand, specifying the number of articles which they shall require to be passed.

This privilege shall only be accorded to those Consular officers who are not engaged in trade. If the service of their Sovereign should require their attendance in their own country, or if they should depute another person to act for them in their absence, they shall not be prevented in any way from so doing; and no impediment shall be offered either to themselves, their servants, or their property, but they shall be at liberty to go and come, respected and honoured; and both they themselves and their deputies or Vice-Consuls shall be entitled, in the most ample sense, to every privilege which is now enjoyed, or may in future be granted, to the Consul of any other nation.

ARTICLE IV.

Travel and Residence.—Most-favoured-nation Treatment.

With respect to the personal privileges to be enjoyed by the subjects of Her Britannic Majesty in the dominions of the Sultan of Morocco, His Sherifian Majesty engages that they shall have a free and undoubted right to travel and to reside in the territories and dominions of His said Majesty, subject to the same precautions of police which are practised towards the subjects or citizens of the most favoured nations.

Hiring, &c., of Dwellings and Warehouses.—Exemption from Taxes, Military Service, Forced Loans, &c.—Protection of Persons and Property.—Inviolability of Dwellings, &c.—Domiciliary Visits.—National Treatment.

They shall be entitled to hire, on lease or otherwise, dwellings and warehouses; and if a British subject shall not find a house or warehouse suitable for his dwelling or for his stores, the Moorish authorities shall assist him in finding a site, within the localities generally selected for the habitations of Europeans, it there be a suitable site within the town, for building a dwelling or stores, and an agreement shall be entered upon, in writing, with the authorities of the town, regarding the number of years that the British subject shall retain possession of the land and buildings, in order that he shall thus be repaid the expenses of the outlay he shall have made; and no person shall compel the British subject to give up the dwelling or warehouses until the time mentioned in the said document shall have expired. They shall not be obliged to pay, under any pretence whatever, any taxes or impositions. They shall be exempt from all military service, whether by land or sea; from forced loans, and from every extraordinary contribution. Their dwellings, warehouses, and all premises appertaining thereto, destined for purposes of residence or commerce, shall be respected. No arbitrary search of or visit to the houses of British subjects, and no arbitrary examination or inspection whatever of their books, papers, or accounts, shall be made; but such measures shall be

executed only in conformity with the orders and consent of the Consul-General or Consul. And, generally, His Majesty the Sultan engages that the subjects of Her Britannic Majesty residing in his States or Dominions shall enjoy their property and personal security in as full and ample manner as subjects of the Emperor of Morocco are entitled to do within the territories of Her Britannic Majesty.

Protection and Privileges of Moorish Subjects in British Dominions.—Most-favoured-nation Treatment.

Her Britannic Majesty, on her part, engages to ensure the enjoyment of the same protection and privileges to the subjects of His Majesty the Sultan of Morocco within her dominions, which are or may be enjoyed by the subjects of the most favoured nations.

ARTICLE V.

Protection of Persons and Property.—Freedom of Religious Worship.—Burials.—Employment of Agents.

All British subjects and merchants who may wish to reside in any part of the dominions of the Sultan of Morocco shall have perfect security for their own persons and property; and they shall be free to exercise the rites of their own religion, without any interference or hindrance, and to have a burial-place for their dead; and they shall be allowed to go out to bury them with safety and protection in going and in returning. They shall be free to appoint any one whom they may choose of their own friends or servants for the transaction of their affairs, either on land or at sea, without any prohibition or interruption; and if a British merchant shall have a ship in or outside of one of the harbours of the Sultan of Morocco, or shall be permitted to go on board of her, either by himself he with any whom he likes of his own friends or servants, without either himself or his friends or servants being subjected to any forced contribution for so doing.

ARTICLE VI.

Free Transaction of Business.

Any person subject to the Queen of Great Britain, or under her protection, shall not be compelled to sell or to buy anything without his own free will; nor shall any of the Sultan of Morocco's subjects have a claim or right upon any goods of a British merchant, but what such merchant may give them voluntarily; and nothing shall be taken away from any British merchant but what shall be agreed upon between the respective parties.

The same rule shall be observed with regard to Moorish subjects in the dominions of the Queen of Great Britain.

ARTICLE VII.

Recovery of Debts.

No subject of the Queen of Great Britain, nor any person under her protection, shall, in the dominions of the Sultan of Morocco, be made liable to pay a debt due from another person of his nation, unless he shall have made himself responsible or guarantee for the debtor, by a document under his own handwriting; and, in like manner, the subjects of the Sultan of Morocco shall not be made liable to pay a debt due from another person of his nation to a subject of Great Britain, unless he shall have made himself responsible or guarantee for the debtor by a document under his own handwriting.

ARTICLE VIII.

British Consular Jurisdiction in Civil and Criminal Cases between British Subjects.

In all criminal cases and complaints, and in all civil differences, disputes, or causes of litigation which may occur between British subjects, the British Consul-General, Consul, Vice-Consul, or Consular Agent, shall be sole judge and arbitrator. No Governor, Kadi, or other Moorish authority, shall intermeddle therein; but the subjects of Her Britannic Majesty shall, in all matters of criminal or civil cognizance arising or existing between British subjects exclusively, be amenable to the tribunal of the Consul-General, Consul, or other British authority only.

ARTICLE IX.

Civil and Criminal Cases between British Subjects and Moors.— Consular Intervention.

All criminal cases and complaints, and all civil differences, disputes, or causes of litigation arising between British subjects and subjects of the Moorish Government, shall be adjusted in the following manner:—

If the plaintiff be a British subject and the defendant a Moorish subject, the Governor of the town or district, or the Kadi, according as the case may appertain to their respective Courts, shall alone judge the case; the British subject making his appeal to the Governor or Kadi, through the British Consul-General, Consul, or his deputy, who will have a right to be present in the Court during the whole trial of the case.

In like manner, if the plaintiff be a Moorish subject, and the defendant a British subject, the case shall be referred to the sole judgment and decision of the British Consul-General, Consul, Vice-Consul, or Consular Agent; the plaintiff shall make his appeal through the Moorish authorities; and the Moorish Governor, Kadi, or other officer who may be appointed by them shall be present, if he or they so desire, during the trial and judgment of the case. Should the British or Moorish litigant be dissatisfied with the decision of the Consul-General, Consul, Vice-Consul, Governor, or Kadi (according as the case may appertain to their respective Courts), he shall have a right of appeal to Her Britannic Majesty's Chargé d'Affaires and Consul-General, or to the Moorish Commissioner for Foreign Affairs, as the case may be.

ARTICLE X.

Actions for Debt between British Subjects and Moors.

A British subject suing, in a Moorish Court of Law, a subject of the Sultan of Morocco, for a debt contracted within the dominions of the Queen of Great Britain, shall be required to produce an acknowledgment of the claim written either in the European or Arabic characters, and signed by the Moorish debtor in the presence of, and testified by, the Moorish Consul, Vice-Consul, or Consular Agent, or before two witnesses whose signatures shall have been at the time, or subsequently, certified by the Moorish Consul, Vice-Consul, or Consular Agent, or by a British Notary in a place where no Moorish Consul, Vice-Consul, or Consular Agent resides. Each document so witnessed or certified by the Moorish Consul, Consular Agent, or British Notary, shall have full force and value in a Moorish tribunal. Should at any time a Moorish debtor escape to any town or place in Morocco where the authority of the Sultan may be established, and where no British Consul or Consular Agent may reside, the Moorish Government shall compel the Moorish debtor to come to Tangier, or other port or town in Morocco where the British creditor may desire to prosecute his claim before a Moorish Court of Law.

ARTICLE XI.

Arrest, &c., of British Subjects.—Assistance to Consular Officers by Moorish Government.

Should the British Consul-General, or any of the British Consuls, Vice-Consuls, or Consular Agents, have at any time occasion to request from the Moorish Government the assistance of soldiers, guards, armed boats, or other aid for the purpose of arresting or transporting any British subject, the demand shall immediately be complied with, on payment of the usual fees given on such occasions by Moorish subjects.

ARTICLE XII.

Punishments for False Evidence given by Subjects of one State against Subjects of the other.

If any subject of the Sultan be found guilty before the Kadi of producing false evidence to the injury or prejudice of a British subject, he shall be severely punished by the Moorish Government according to the Mahometan law. In like manner, the British Consul-General, Consul, Vice-Consul, or Consular Agent, shall take care that any British subject who may be convicted of the same offence against a Moorish subject, shall be severely punished according to the law of Great Britain.

ARTICLE XIII.

Equal Rights and Privileges of all British Subjects, whether Mahometans, Jews, or Christians, under Treaty.—Most-favoured-nation Treatment.

All British subjects, whether Mahometans, Jews, or Christians, shall alike enjoy all the rights and privileges granted by the present Treaty and the Convention of Commerce and Navigation which has also been concluded this day, or which shall at any time be granted to the most favoured nation.

ARTICLE XIV.

Trial of Civil and Criminal Cases between British Subjects and other Foreigners in Morocco.

In all criminal cases, differences, disputes, or other causes of litigation arising between British subjects and the subjects or citizens of other foreign nations, no Governor, Kadi, or other Moorish authority shall have a right to interfere, unless a Moorish subject may have received thereby any injury to his person or property, in which case the Moorish authority, or one of his officers, shall have a right to be present at the tribunal of the Consul.

Such cases shall be decided solely in the tribunals of the foreign Consuls, without the interference of the Moorish Government, according to the established usages which have hitherto been acted upon, or may hereafter be arranged between such Consuls.

ARTICLE XV.

Naval and Military Deserters.

It is agreed and covenanted that neither of the High Contracting Parties shall knowingly receive into or retain

in its service any subjects of the other Party who have deserted from the naval or military service of that other Party; but that, on the contrary, each of the Contracting Parties shall respectively discharge from its service any such deserters, upon being required by the other Party so to do.

Seamen Deserters.

And it is further agreed, that if any of the crew of any merchant-vessel of either Contracting Party, not being slaves, nor being subjects of the Party upon whom the demand is made, shall desert from such vessel within any port in the territory of the other Party, the authorities of such port and territory shall be bound to give every assistance in their power for the apprehension of such deserters, on application being made by the Consul-General or Consul of the Party concerned, or by the deputy or representative of the Consul-General or Consul; and no person whatever shall protect or harbour such deserters.

ARTICLE XVI.

British Subjects professing Mahometan Religion entitled to all Rights and Privileges under this Treaty.

No British subject professing the Mahometan faith, or who may have professed the Mahometan religion, shall be considered as having in any manner lost, or as being by reason thereof in any degree less entitled to, the rights and privileges, or the full protection, enjoyed by British subjects who are Christians; but all British subjects, whatever their religion may be, shall enjoy all the rights and privileges secured by the present Treaty to British subjects, without any distinction or difference.

ARTICLE XVII.

Freedom of Subjects of one Country in Time of Peace or War to leave Dominions of the other, and to dispose of their Goods and Property.

Any subjects of the Queen of Great Britain who may be found in the dominions of the Sultan of Morocco, either in time of peace or in time of war, shall have perfect liberty to depart to their own country, or to any other country, in their own ships or in the ships of any other nation; and they shall also be free to dispose as they please of their goods and property of every kind, and to carry away with them the value of all such goods and property, as well as to take their families and domestics, even though born and brought up in Africa or elsewhere out of the British dominions, without any one interfering with or preventing them under any pretence. All these rights shall be likewise granted to the subjects of the Sultan of

Morocco who may be in the dominions of the Queen of Great Britain.

ARTICLE XVIII.

Estates and Debts of Deceased British Subjects and Protected Persons.—Intestate Estates.

If any subject of Her Britannic Majesty, or any native of a State or place under British protection, should die in the dominions of the Sultan of Morocco, no Governor or officer of the Sultan shall, under any pretence, dispose of the goods or property of the deceased, nor shall any one interfere therewith; but all the property and goods belonging to the deceased, and all that was under his hands and in his possession, shall be taken possession of by the persons chosen by him for that purpose, and named in his will as his heirs, if they should be present; but in case such heir or heirs should be absent, then the Consul-General, Consul, or his deputy, shall take possession of all the property and effects, after making a list or inventory thereof, specifying every article correctly, until he delivers the same to the heir of the deceased. But should the deceased die without making any will, the Consul-General, Consul, or his deputy shall have the right to take possession of all the property left by him, and to preserve it for the persons entitled by law to the property of the deceased; and if the deceased should leave behind him debts due to him from individuals, then the Governor of the town, or those who have such a power, shall compel the debtors to pay what is due from them either to the Consul-General, Consul, or his deputy, for the benefit of the estate of the deceased; and likewise, if the deceased should leave behind him debts due from him to a subject of the Sultan of Morocco, the Consul-General, Consul, or his deputy shall assist the creditor in the recovery of his claim upon the estate of the deceased.

ARTICLE XIX.

Application of Treaty to all the British Dominions.

The present Treaty shall apply generally to all the dominions of Her Britannic Majesty, and to all subjects who are under her obedience, and all those who inhabit any town or place which is considered part of her kingdom, as also to all her subjects in Gibraltar and its inhabitants, and likewise to the inhabitants of the United States of the Ionian Islands which are under her protection; and all those who are called or described as English shall be considered as British subjects, without any distinction between those born in and those born out of Great Britain: and if the Queen of Great Britain should hereafter possess a town or a country which, either by conquest or by Treaty, shall enter under her authority, all its people

and inhabitants shall be considered as British subjects, even if only for the first time subjected to Great Britain.

ARTICLE XX.

General Most-favoured-nation Treatment.

The subjects of the Queen of Great Britain, and those who are under her government or protection, shall have the full benefit of the privileges and of the particular favours granted by this Treaty, and which may be allowed to the subjects of other nations that are at war with Great Britain; and if after this date any other privileges shall be granted to any other Power, the same shall be extended and apply to and in favour of all British subjects in every respect as to the subjects of such other Power.

ARTICLE XXI.

Subjects and Goods of one Country captured on Vessels belonging to Enemies of the other.

If a subject of the Sultan of Morocco should ship himself and his goods on board of a vessel belonging to a nation at war with the Queen of Great Britain, and that ship should be taken by a British man-of-war, the said Moroquine subject, and also his goods, provided they be not contraband of war, shall not be molested or interfered with, but both he and the goods which he has on board the vessel thus taken, shall be let free, and he shall be set at liberty to go where he pleases. In like manner, if a British subject should take his passage on board of a vessel belonging to a nation at war with the Sultan of Morocco, and that vessel be taken by a Moroquine cruiser, such British subject shall not be molested, nor shall his goods, if not contraband of war, which he may have with him on board of the vessel thus taken, be interfered with, but he shall have his liberty, and be left free to go where he pleases, with his goods, without impediment or delay.

ARTICLE XXII.

British Prizes in Ports of Morocco.

If any duly commissioned British vessel should capture a ship, and take her to a harbour in the dominions of the Sultan of Morocco, the captors shall be allowed to sell such prize or the goods taken in her, without impediment from any one; or they shall be at liberty to depart with their prize and take her to any other place they please.

ARTICLE XXIII.

Protection of British Vessels chased by Enemy into Moorish Waters.

If a British vessel should be chased by an enemy to within gun-shot from the seaports or shores of the dominions of the Sultan of Morocco, the local authorities shall respect and defend her as much as they can; and, in like manner, the ships of Morocco shall be protected in all the seaports or coasts of the dominions of the Queen of Great Britain.

ARTICLE XXIV.

Treatment of Privateers of a Nation at War with either Country in the Ports of the other.

If a cruiser not belonging either to the Queen of Great Britain or to the Sultan of Morocco should possess letters of marque from a nation at war with Great Britain or with Morocco, that cruiser shall not be permitted to remain in any of the harbours or seaports of either of the two Parties, nor to sell its prizes therein, nor to exchange such prizes or their cargo for other merchandize; nor shall any such cruiser be allowed to purchase stores or provisions, except as much as may be absolutely necessary for the voyage to the nearest port of its own country.

ARTICLE XXV.

Treatment of War-ships of a Nation at War with either Country in the Ports of the other.

If an armed ship of a nation at war with Great Britain should be found in any of the harbours or seaports of the Sultan of Morocco, and at the same time a British ship should happen to be also there, such ship of the enemy of Great Britain shall not be allowed to seize upon the British vessel, nor to cause it any injury; and the enemy's ship shall not be allowed to sail in the track of the British vessel till twenty-four hours shall have elapsed after the departure of the said vessel, if the authorities of the port or harbour have the power of detaining the vessel of the enemy. The same rule shall be observed towards the ships of the Sultan of Morocco or his subjects, in all the harbours and seaports of the Queen of Great Britain.

ARTICLE XXVI.

British War-ships or Merchant-vessels may buy provisions free from duty in Ports of Morocco.

If any British vessels of war or merchant-vessels should enter one of the harbours or seaports of the Sultan of Morocco,

and be in want of provisions or refreshments, such vessels shall be at liberty to buy what they require at the current prices of the time, free of duty; but the quantity shall not exceed that which may be sufficient for the sustenance of the master and crew during the voyage to the port whither the vessel may be bound, and also the necessary provisions required for the daily maintenance of the crew during the time the vessel remains at anchorage in the Moorish port.

ARTICLE XXVII.

Privileges of Mail Packets.

Vessels or boats freighted by order of the British Government for the conveyance of mails, or employed by the British Government under contract for the same service, shall be respected, and shall have the same privileges as ships of war, if they do not bring or take articles of merchandize to or from a port of the Sultan of Morocco; but if they carry any merchandize from a port of these dominions, they shall pay the same charges as any other merchant-vessel.

ARTICLE XXVIII.

Vessels of either Country entering Seaports of the other are not bound to go into harbour nor to sell their Cargoes.

If any vessel belonging to the subjects or to the inhabitants of the dominions of either Contracting Party should enter one of the seaports of the other, and should not wish to go into harbour nor to declare nor sell her cargo there, she shall not be compelled to do so, nor shall any one inquire or search in any way to know what she contains; but a guard may be placed on board by the Custom-house officers, as long as the vessel remains at anchor, to prevent any illegal traffic.

ARTICLE XXIX.

Duties only to be paid on portion of Cargo landed.

If a British vessel with a cargo should enter one of the harbours of the Sultan of Morocco, and should wish to land a part of her cargo which may be destined for that place, she shall not be compelled to pay duties upon more than the landed part of her cargo, and shall not be required to pay any duty upon the rest of the cargo which is left on board, but she shall be at liberty to depart with the remainder of her cargo to any place she pleases. The manifest of the cargo of each vessel shall on her arrival be delivered up to the Moorish Custom-house officers, who will be permitted to search the vessel on her

arrival and departure, or to place a guard on board the vessel to prevent any illegal traffic.

The same rule shall be observed in British ports with regard to Moorish vessels.

The master of each vessel, on departure from a Moorish port, shall be required to present a manifest of the cargo of articles exported, certified by the Consul or the Vice-Consul, and shall exhibit the manifest to the administrators of customs when required to do so, in order that they may verify that no goods have been embarked in contraband.

ARTICLE XXX.

Vessels of either Country in the Ports of the other are not bound to carry Passengers or Goods, and cannot be forced to sail to any particular place.

No captain of a British vessel in a Moorish port, and no captain of a Moorish vessel in a British port, shall be in any way compelled to carry any passengers or any kind of goods against his own will, nor shall he be forced to sail for any place which he does not wish to go to; and his ship shall not be molested in any way whatever.

ARTICLE XXXI.

British Vessels hired by Moorish Subjects.

If any of the subjects of the Sultan of Morocco should hire a British vessel to carry goods or passengers from one place to another within the dominions of Morocco, and if in the course of her voyage such British vessel should be forced by stress of weather or accident of the sea to enter a different port in the same dominions, the captain shall not be obliged to pay anchorage or any other duty on account of his entering such port; but if such vessel should discharge or take on board at such port any cargo, the said vessel shall be treated like any other.

ARTICLE XXXII.

British Vessels entering Moorish Ports for Repairs.

Any British ships or vessels which may be damaged at sea, and may enter one of the harbours of the Sultan of Morocco for repairs, shall be received and assisted in all their wants during their stay in such harbour, during their refit, or at their departure for the place of their destination, if the articles required for the repairs of the vessel shall be found for sale in such harbour, and in such case they shall be bought and paid for at the same prices as are usually paid by others; and the

British ships or vessels shall not be in any way whatever molested or prevented from proceeding on their voyage.

ARTICLE XXXIII.

Wrecks and Salvage.—Consular interference.

If a ship belonging to the Queen of Great Britain, or to any of her subjects, should get on shore, or be wrecked on any part of the dominions of the Sultan of Morocco, she shall be respected and assisted in all her wants, in accordance with the rules of friendship; and such ship, and all her contents, cargo, or any goods which may be saved from her at the time or after the wreck, shall be preserved and given up to the owners, or to the British Consul-General, Consul, or his deputy, without the loss or concealment of anything whatever. Should the wrecked vessel have on board any goods which the proprietors desire to sell within the dominions of Morocco, the proprietors shall pay upon these goods the requisite duties; but if the goods on board the vessel had been embarked from any port of the dominions of Morocco, no other duties in addition to those which may already have been paid, shall be demanded, either on importation or on exportation, and the proprietors shall have the right either of selling the goods in Morocco, or of embarking them, as they please. The captain and crew shall be at liberty to proceed to any place they please, and at any time they may think proper, without any hindrance. In like manner, the ships of the Sultan of Morocco, or of his subjects, shall be treated in the dominions of the Queen of Great Britain; it being understood that such ships are to be subject to the same lawful charges for salvage to which British ships are subject. If a British vessel should be wrecked at Wadnoon, or on any part of its coast, the Sultan of Morocco shall exert his power to save and protect the captain and crew, till they return to their own country; and the British Consul-General, Consul, or his deputy shall be allowed to inquire and ascertain, as much as they can, about the captain and crew of any such ship, in order that they may obtain and save them from those parts of the country; and the Governors appointed in those places by the Sultan of Morocco shall also assist the Consul-General, Consul, or deputy, in his researches, agreeably to the rules of friendship.

ARTICLE XXXIV.

Suppression of Piracy.

Her Majesty the Queen of Great Britain and His Majesty the Sultan of Morocco engage to do all in their power for the suppression of piracy; and the Sultan especially engages to

use his utmost efforts to discover and punish all persons on his coasts or within his dominions who may be guilty of that crime, and to aid Her Britannic Majesty in so doing.

ARTICLE XXXV.

Infractions of Treaty by Subjects of either Country.

If any of the subjects or of the ships of either of the two Parties should do anything contrary to any of the conditions of this Treaty, whether intentionally or unintentionally, the peace and friendship thereby stipulated for shall not be disturbed, but shall remain preserved, fixed, and always durable upon the basis of sincerity, till communication shall be forwarded to the Sovereign of the aggressor, without his being in the mean time molested; and if any of the subjects of either Party should wish or attempt to violate this Treaty, or any of its conditions, his Sovereign shall be bound to chastise and punish him severely for his conduct.

ARTICLE XXXVI.

Rupture of Friendly Relations.—Position of Persons and Property.

If this Treaty of Peace and Friendship between the two Contracting Parties should be infringed, and if, in consequence of such infringement (which God forbid!) war should be declared, all the country and subjects of the Queen of Great Britain, and those under her protection, of whatever degree or class, who may happen to be found in the dominions of the Sultan of Morocco, shall be permitted to depart to any part of the world they choose, and to carry with them their goods and property, their families and their servants or establishments, whether they be British born or not; and they shall be allowed to embark on board of any ship of another nation which they may select. Moreover, a period of six months shall be granted them, if they ask for it, for the arrangement of their affairs, the sale of their goods, or for doing what they please with their property; and during such period of six months they shall have full liberty and perfect security for their persons and property, without any interference, injury or hindrance in any way, by reason of such war; and the Governors or authorities shall assist and help them in the arrangement of their affairs, and attend them in the recovery of the debts due to them, without delay, dispute, or postponement. In like manner, all this shall be granted to the subjects of the Sultan of Morocco in all the dominions of the Queen of Great Britain.

ARTICLE XXXVII.

Publication of this Treaty.

This Treaty shall be declared and made public to the subjects of both Parties, lest any one of them should remain ignorant of its conditions, and copies shall be prepared and sent to the Governors and men of authority who are intrusted with the revenue and the expenditure; and also to all the seaports and the captains of cruisers belonging to the Sultan of Morocco.

ARTICLE XXXVIII.

Ratifications.

The present Treaty shall be ratified by Her Majesty the Queen of Great Britain, and by His Majesty the Sultan of Morocco, and the ratifications shall be exchanged at Tangier, as soon as possible within four months from the date hereof.

Abrogation of all previous Treaties.

When the ratifications of the present Treaty, and of the Convention of Commerce and Navigation, which has also been concluded this day between the High Contracting Parties, shall have been exchanged, the stipulations of the said Treaty and Convention shall come into immediate operation, and shall be substituted for the stipulations of all preceding Treaties between Great Britain and Morocco.

In witness whereof the respective Plenipotentiaries have signed the present Treaty, and have affixed thereto their respective seals.

Done at Tangier, the ninth day of December, in the year one thousand eight hundred and fifty-six, corresponding to Moorish date of the tenth day of the month of Rabbea the second, in the year one thousand two hundred and seventy-three.

(L.S.) J. H. DRUMMOND HAY.

(Arabic signature of)

(L.S.) SEED MOHAMED KHATEEB.

No. 114.

CONVENTION OF COMMERCE AND NAVIGATION BETWEEN GREAT
BRITAIN AND MOROCCO.

*Signed at Tangier, December 9, 1856.**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Sultan of Morocco and Fez, being desirous to extend and improve the relations of commerce and navigation which exist between their respective dominions and subjects, have resolved to conclude a special Convention for that purpose, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, John Hay Drummond Hay, Esquire, Her Chargé d'Affaires and Consul-General at the Court of His Majesty the Sultan of Morocco and Fez ;

And His Majesty the Sultan of Morocco and Fez, Seed Mohamed Khateeb, His Commissioner for Foreign Affairs ;

Who, after having communicated with each other their respective full powers, have agreed upon and concluded the following Articles :—

ARTICLE I.

Freedom of Commerce, Residence, and Trade.—Hiring, &c., of Houses and Warehouses.—Protection of Persons and Property.—General Most-favoured-nation Treatment.

There shall be reciprocal freedom of commerce between the British dominions and the dominions of the Sultan of Morocco. The subjects of Her Britannic Majesty may reside in and trade to any port of the territories of the Sultan of Morocco to which any other foreigners are or shall be admitted.

They shall be permitted to hire houses, and to build houses, stores, or warehouses, as stipulated in Article IV of the General Treaty of this date.

They shall enjoy full protection for their persons and properties, as specified in Article IV of the General Treaty ; they shall be allowed to buy from, and to sell to, whom they like, all articles not prohibited in Article II of this Convention, either by wholesale or retail, at all places in the Moorish dominions, without being restrained or prejudiced by any monopoly, contract, or exclusive privilege of purchase or sale

* Signed also in Arabic.

whatever, except the articles of export and those of import enumerated in Article II: and they shall, moreover, enjoy all other rights and privileges which hereafter may be granted to any other foreigners, subjects or citizens of the most favoured nation.

The subjects of the Sultan of Morocco shall, in return, enjoy in the dominions of Her Britannic Majesty the same protection and privileges which are or may be enjoyed by the subjects or citizens of the most favoured nation.

ARTICLE II.

Monopolies and Prohibitions.

The Sultan of Morocco engages to abolish all monopolies or prohibitions on imported goods, except tobacco, pipes of all kinds used for smoking, opium, sulphur, powder, saltpetre, lead, arms of all kinds, and ammunition of war; and further to abolish all monopolies of agricultural produce, or of any other article whatsoever in the dominions of the Sultan, except leeches, bark, tobacco, and other herbs used for smoking in pipes.

ARTICLE III.

No Duty, Charge, &c., to be imposed on Goods purchased for Exportation by British Subjects.

No tax, toll, duty, or charge whatsoever, beside the export duty hereinafter mentioned, shall, under any pretext or on any account, be imposed by any person whatsoever, in any part of the dominions of Morocco, upon or in respect of any goods or produce whatsoever which may have been purchased for exportation by or on behalf of any British subject; but the said goods or produce, when so purchased, shall be conveyed from any place in Morocco to, and embarked from, any port therein, absolutely free and exempt from all other taxes, tolls, duties, or charges whatsoever. No permit, or any similar document, shall be requisite to enable them to be so conveyed or embarked, nor shall any officer or subject of the Sultan offer any impediment to, or lay any restriction on, the conveyance or embarkation of such goods (except those goods or produce which the Sultan of Morocco shall prohibit from being exported, as arranged in Article V), or on any pretext demand or receive any money in respect or on account of such goods; and should any such officer or subject act contrary to this stipulation, the Sultan shall immediately punish with severity the Governor, officer, or other subject who shall have been guilty of such misconduct, and render full justice to British subjects for all

injuries or losses which they may duly prove themselves to have suffered thereby.

ARTICLE IV.

Freedom in Transaction of Business.—Employment of Agents.

The subjects of Her Britannic Majesty within the dominions of His Majesty the Sultan shall be free to manage their own affairs themselves, or to commit those affairs to the management of any persons whom they may appoint as their broker, factor, or agent; nor shall such British subjects be restrained in their choice of persons to act in such capacities; nor shall they be called upon to pay any salary or remuneration to any person whom they shall not choose to employ; but those persons who shall be thus employed, and who are subjects of the Sultan of Morocco, shall be treated and regarded as other subjects of the Moorish dominions. Absolute freedom shall be given in all cases to the buyer and seller to bargain together, and no interference on the part of the Sultan's officers shall be permitted. Should any Governor or other officer interfere in the bargains between British and Moorish subjects, or place any impediments in the lawful purchase or sale of goods or merchandize imported into, or to be exported from, the Sultan's dominions, His Sherifian Majesty shall severely punish the said officer for such misconduct.

ARTICLE V.

Prohibitions as to Exports or Imports.—Most-favoured-nation Treatment.

Should the Sultan of Morocco at any time think proper to prohibit the exportation of any kind of grain or other article of commerce from his dominions, British subjects shall in no manner be prevented from embarking all the grain or other articles which they may have in their magazines, or which may have been bought previously to the said prohibition; but they shall be allowed to continue to export all they may have in their possession, during the term of six months from the time the prohibition was publicly made known; but on the day when the order of the Sultan of Morocco regarding the prohibition shall arrive, and shall be published to the merchants, British subjects shall, within the term of two days, declare and give proofs of the amount of produce they shall possess in their stores, on which the prohibition is imposed, and they shall also present legal certificates regarding the amount of the said produce which they shall have bought in the interior or elsewhere, previously to the promulgation of the order for the

prohibition. No prohibition, either as to the exportation or importation of any article, shall apply to British subjects, unless such prohibition shall apply to subjects of every other nation.

ARTICLE VI.

Imports.—National and Most-favoured-nation Treatment.

Merchandise or goods, except the articles enumerated in Article II, imported by British subjects in any vessel, or from any country, shall not be prohibited in the territories of the Sultan of Morocco, nor be subject to higher duties than are levied on the same kind of merchandise or goods imported by the subjects of any other foreign Power, or by native subjects, after the date of this Convention.

Exports.—National and Most-favoured-nation Treatment.

All articles, except those enumerated in Article II, the produce of Morocco, may be exported therefrom by British subjects in any vessels, on as favourable terms as by the subjects of any other foreign country, or by native subjects.

ARTICLE VII.

Import and Export Duties.

In consideration of the favourable terms upon which the produce of Morocco is admitted into the territories of Her Britannic Majesty, and with a view to the extension of commercial intercourse between Great Britain and Morocco, for their mutual advantage, His Majesty the Sultan of Morocco hereby agrees that the duties to be levied on all articles imported into the territories of His Majesty by British subjects, shall not exceed ten per cent. in cash on their value, at the port of their disembarkation; and that the duties to be levied on all articles exported from the territories of His Majesty by British subjects, shall not exceed in amount the duties marked in the following Tariff:—

TARIFF OF EXPORTS.

Articles of Exportation.				Dollars. Ounces.	
Wheat	Per strike fanega			1	0
Maize and durra	" full fanega ...			$\frac{1}{2}$	0
Barley	" strike fanega			$\frac{1}{2}$	0
All other grain	" cantar ...			$\frac{1}{2}$	0
Flour	" " ...			0	30
Birdseed	" " ...			0	12
Dates	" " ...			0	40
Almonds	" " ...			0	35
Oranges, lemons, and limes	" 1,000 ...			0	12
Wild marjoram	" cantar ...			0	10
Cummin seed	" " ...			0	20
Oil	" " ...			0	50
Gums	" " ...			0	20
Henna	" " ...			0	15
Wax	" " ...			0	120
Rice	" " ...			0	16
Wool, washed	" " ...			0	80
" in grease	" " ...			0	55
Hides, sheep and goat skins	" " ...			0	36
Tanned skins called Felaly, Zawany, and Cochineal	" " ...			0	100
Horns	" 1,000 ...			0	20
Tallow	" cantar ...			0	50
Mules	" head ...			25	0
Donkeys	" " ...			5	0
Sheep	" " ...			1	0
Goats	" " ...			0	15
Fowls	" dozen ...			0	22
Eggs	" 1,000 ...			0	51
Slippers	" 100 ...			0	70
Porcupine quills	" 1,000 ...			0	5
Grasool	" cantar ...			0	15
Ostrich feathers	" lb. ...			0	36
Baskets	" 100 ...			0	30
Carraway seed	" cantar ...			0	20
Combs of wood	" 100 ...			0	5
Hair	" cantar ...			0	30
Raisins	" " ...			0	20
Woollen sashes called Karazy	" 100 ...			0	100
Tackawt (a dye)	" cantar ...			0	20
Tanned fleeces	" " ...			0	36
Hemp and flax	" " ...			0	40

The Sultan of Morocco has the right of prohibiting any article of exportation; but when a prohibition on any article shall be imposed, it shall be in conformity with what is arranged in Article V; but upon the exportation of articles the prohibition of which shall be taken off, the duties noted in the Tariff shall alone be paid. With regard to wheat and barley, should the Sultan think proper to prohibit the exportation of these articles, but should desire to sell to merchants the grain which belongs to Government, it shall be sold at the price the Sultan thinks

proper to impose. Should the Sultan augment or diminish the price of the grain, there shall be granted to the purchaser for exporting that which he shall have bought, the term stated in Article V; but should the grain be free for exportation, the duties imposed thereon shall be in conformity with what is stated in the Tariff.

Reduction of Export Duties.—National and Most-favoured-nation Treatment.

Should the Sultan of Morocco think proper to reduce the duties on articles of exportation, His Majesty shall have the right of doing so, on condition that British subjects shall pay the lowest duty that shall be paid by any other foreign or native subjects.

ARTICLE VIII.

Goods conveyed by Sea from one Moorish Port to another.

Should a British subject, or his agent, desire to convey by sea, from one port to another in the dominions of the Sultan of Morocco, goods upon which the ten per cent. duty has been paid, such goods shall be subject to no further duty, either on their embarkation or disembarkation, provided they be accompanied by a certificate from a Moorish Administrator of Customs.

ARTICLE IX.

Goods purchased by British Subjects for exportation.

If any article of Moroquine produce, growth, or manufacture, except the articles enumerated in Article II, be purchased for exportation, the same shall be conveyed by the British merchant, or by his agent, free of any kind of charge or duty whatsoever to a convenient place of shipment. Subsequently, on exportation, the export duty according to the Tariff in Article VII shall alone be paid on it.

ARTICLE X.

Anchorage, Tonnage, Pilotage, Harbour, &c., Dues.—National Treatment.

No anchorage, tonnage, import, or other duty or charge, shall be levied in the dominions of the Sultan of Morocco on British vessels, or on goods imported or exported in British

vessels, beyond what is, or may be, levied on national vessels, or on the like goods imported or exported in national vessels; they shall not, however, exceed in amount the rates of the following scale, viz.:—

Six moozoonats per ton shall be levied upon every British vessel (except steam-vessels) that does not exceed two hundred tons in measurement. Upon every vessel (not a steam-vessel) measuring more than two hundred tons, the following charge shall be made, viz., six moozoonats per ton shall be paid for two hundred of her tons, and two moozoonats per ton for the remainder. Should the Administrator of Customs have any doubt regarding the tonnage of a British vessel, as declared by the master, the British Consul or Vice-Consul shall, on appeal being made to him, cause the ship's papers, whereon the tonnage is formally stated, to be exhibited. The same charges shall be made in all the ports of Morocco except Rabat and Laraiche, at which ports four moozoonats per ton shall be paid for pilotage into the river, should the vessel enter the river, and four moozoonats per ton for pilotage out of the river; three moozoonats per ton shall also be levied upon each vessel entering the river, on account of anchorage. Should a vessel, however, not enter the river, the same charges shall be levied upon her as those which are paid at the other ports. At Mogadore, four moozoonats per ton shall be paid on British vessels for pilotage on their entering the port only, and six moozoonats per ton for anchorage.

Should the master of a British vessel require, at any other port, a pilot, he shall pay for him at the rate of two moozoonats per ton; but this charge shall not be exacted except when the master of a vessel requires a pilot.

The sum of sixteen dollars shall be levied, on account of anchorage, on a steam-vessel entering a port in the Moorish dominions for the purpose of discharging or embarking cargo. If, afterwards, the said steam-vessel proceed from that port to any other port or ports in the Moorish dominions, and on her arrival at the latter embark or discharge cargo, the aforesaid charge of sixteen dollars for anchorage shall again be levied; but if the said steam-vessel, on her return voyage, should enter a Moorish port at which the said anchorage dues shall have already been paid, no further charge on account of anchorage shall be levied upon her unless the said steam-vessel depart on a second voyage to a Moorish port, or unless during her return voyage she shall have touched at any port other than a port of the Moorish dominions, in which case the aforesaid charge of sixteen dollars shall again be levied. The charge, however, for anchorage on a steamer of one hundred and fifty tons burthen, or less, shall not exceed what is due from a sailing-vessel of the same size.

The masters of all vessels shall pay, in addition to the

aforesaid charges, the following sums to officers of the ports, but no other payments shall be demanded of them; viz. :—

A vessel measuring twenty-five tons or less, twenty ounces; a vessel exceeding twenty-five and not over fifty tons, forty ounces; a vessel exceeding fifty and not over a hundred tons, sixty ounces; a vessel exceeding a hundred and not over two hundred tons, eighty ounces; a vessel exceeding two hundred tons, one hundred ounces.

In addition to these charges, the master of every British vessel visiting the port of Tetuan shall pay ten ounces for the messenger who shall convey the ship's papers from the port of Marteen to Tetuan; five ounces to the trumpeter who shall announce the arrival of the vessel; and three ounces to the public crier; but no other payments shall be demanded at the port of Tetuan. No charge for anchorage shall be levied on account of British vessels which may enter the ports of Morocco for the purpose of seeking shelter from the weather, and which do not embark or discharge cargo, nor shall any charge for anchorage be levied upon fishing-vessels.

And, in like manner, no anchorage, tonnage, import, or other duty or charge, shall be levied in the British dominions on Moorish vessels, or on goods imported or exported in Moorish vessels, beyond what is or may be levied on national vessels, or on the like goods imported or exported in national vessels.

ARTICLE XI.

Loading and Unloading of Vessels in Moorish Ports.— Use of Lighters.

Should British subjects desire to embark in or discharge goods from vessels arriving in the ports of Morocco, they shall employ the Moorish Government boats for that purpose; but if within two days after the arrival of a vessel the Moorish Government boats are not placed at their disposal for the aforesaid purpose, the British subjects shall have the right of employing private boats, and shall not pay, in such case, to the port authorities more than one half of what would have been paid, had they employed the Government boats. This regulation shall not be applicable to the ports of Tangier and Tetuan, inasmuch as there is a sufficient number of Government lighters at those two ports.

Lighterage Charges.

The charges now paid for lighterage at the different ports of Morocco shall not be augmented, and the Administrator of Customs at each port of Morocco shall deliver to the British Vice-Consul a tariff of the charges now demanded for lighterage.

ARTICLE XII.

Opening of New Ports.—Anchorage and other Duties.

The Articles of this Convention shall be applicable to all the ports in the Empire of Morocco; and should His Majesty the Sultan of Morocco open the ports of Mehedea, Agadeer, or Wadnoon, or any other ports within the limits of His Majesty's dominions, no difference shall be made in the levying of duties, or anchorage, between the said ports and other ports in the Sultan's dominions.

ARTICLE XIII.

Smuggling.

If a British subject be detected in smuggling into Moroquine territories goods of any description, the goods shall be confiscated to the Sultan; and such British subject shall, on conviction before the British Consul-General, Consul, Vice-Consul, or Consular Agent, be liable to be fined in an amount not exceeding treble the amount of duties leviable on such goods, or in case of goods not admitted to importation, treble the value of the goods at the current price of the day; and failing payment of such fines, such British subject shall, on conviction before the British Consul-General, Consul, Vice-Consul, or Consular Agent, be liable to be imprisoned; or, without being fined, any British subject on conviction as aforesaid may be imprisoned, but in either case for a time not exceeding one year, in such place as the Consul-General, Consul, Vice-Consul, or Consular Agent may determine.

ARTICLE XIV.

Revision of Treaty.

In order that the two High Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective subjects, it is agreed that at any time after the expiration of five years from the date of the exchange of the ratifications of the present Convention of Commerce and Navigation, either of the High Contracting Parties shall have the right to call upon the other to enter upon a revision of the same; but until such revision shall have been accomplished by common consent, and a new Convention shall have been concluded and ratified, the present Convention shall continue and remain in full force and effect.

ARTICLE XV.

Ratifications.

The present Convention shall be ratified by Her Majesty the Queen of Great Britain and by His Majesty the Sultan of Morocco, and the ratifications shall be exchanged at Tangier, at the same time as the ratifications of the General Treaty signed this day between the High Contracting Parties.

Abrogation of all previous Treaties.

When the ratifications of the present Convention and of the said General Treaty shall have been exchanged, the stipulations of the said Convention and Treaty shall come into operation within four months, and shall be substituted for the stipulations of all preceding Treaties between Great Britain and Morocco.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto their respective seals.

Done at Tangier, the ninth day of December, in the year one thousand eight hundred and fifty-six, corresponding to the Moorish date of the tenth day of the month of Rabbea the second, in the year one thousand two hundred and seventy-three.

(L.S.) J. H. DRUMMOND HAY.

(Arabic signature of)

(L.S.) SEED MOHAMED KHATEEB.

No. 115.

PROTECTION OF TRADE-MARKS IN MOROCCO.

NOTIFICATION PUBLISHED IN THE "LONDON GAZETTE" OF
JUNE 7, 1895.

Trade-marks and Patents in Morocco.

THE Secretary of State for Foreign Affairs has received the following despatch from Her Majesty's Minister in Morocco:—

"My Lord, "Tangier, May 21, 1895.

"In accordance with the instructions conveyed to me in your Lordship's despatch of the 13th instant, I have the honour to

furnish for publication a Memorandum on the present state of the protection of trade-marks in Morocco.

"I have, &c.

(Signed) "ERNEST SATOW.

"The Earl of Kimberley, K.G., &c., &c., &c.,
"Foreign Office."

Foreign Office, June 7, 1895.

MEMORANDUM.

Protection of Patents and Trade-marks in Morocco.

THERE exists no Moorish law for the protection of patents and trade-marks, which are unknown in this country. The only redress afforded against a Moorish subject counterfeiting a foreign trade-mark, or procuring it to be counterfeited, is given by an engagement entered into in 1892 between the Moorish Government and the then French Minister, which runs as follows :—

"The Moorish Government engages to protect trade-marks affixed to French goods to the extent that if a Moorish merchant should counterfeit the said marks, or cause them to be counterfeited, goods found to bear such false marks shall be confiscated for the benefit of the Moorish Government, and the author of the falsification shall be severely punished."

Under the most-favoured-nation clause of the Convention of Commerce between Great Britain and Morocco of the 9th December, 1856, British subjects become entitled to a similar measure of protection as against Moorish subjects. The Moorish Government has been officially informed of the intention of Great Britain to claim on behalf of British subjects the benefit of the Franco-Moorish Agreement.

In the absence of any International Agreement among the Powers having Treaties with Morocco, goods bearing false English trade-marks can only be seized under this Agreement, if they are the property of a Moorish subject and imported by him.

An Agreement has been made between the British and French* Legations by which protection is reciprocally accorded to the trade-marks of the two countries. In order that British manufacturers should obtain the advantage of this arrangement, they should cause their trade-marks to be registered in France. At present no protection for British trade-marks can be obtained as against the subjects or citizens of any other Power trading in Morocco.

* Similar Agreements have since been made with Austria-Hungary, Belgium, Germany, Italy, the Netherlands, Portugal, Spain, and the United States.

As against British subjects and *protégés* in Morocco, protection is given by Article 112 of the Morocco Order in Council, 1889, which provides that any act, which, if done in the United Kingdom or in a British possession, would be an offence against "The Merchandise Marks Act, 1887," "The Patents, Designs and Trade-marks Acts, 1883 to 1888," any Act, Statute or Order in Council in force for the time being relating to copyright, inventions, designs or trade-marks; or any Statute amending or substituted for any of the above-mentioned Statutes, shall, if done by a British subject in Morocco, be punishable as a grave offence against the Order. Any person found guilty under this section is liable (i) to a fine not exceeding 10*l.*, without imprisonment; or (ii) to imprisonment not exceeding two months, without fine, or (iii) to imprisonment not exceeding one month, with a fine not exceeding 5*l.*

It is to be presumed that the owner of a trade-mark which has been falsified by a British subject or *protégé* in Morocco would be able also to recover damages.

As there exists no machinery for registration of British trade-marks at any of the British Consulates or Vice-Consulates in Morocco, before commencing proceedings in Her Majesty's Court for Morocco, it would be necessary to furnish legal evidence of the ownership of the mark, and similarly in any case where the intervention of a British Consular officer with the French or Moorish authorities was sought for.

H.M. Legation, Tangier,
May 21, 1895.

MUSKAT.

No. 116.

**TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN
GREAT BRITAIN AND MUSKAT.**

Signed at Muskat, March 19, 1891.

[Ratifications exchanged at Muskat, February 20, 1892.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Highness the Seyyid Feysal-bin-Turki-bin-Saeed, Sultan of Muskat and Oman, being desirous to confirm and strengthen the friendly relations which now subsist between the two countries, and to promote and extend their commercial relations, have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Colonel Edward Charles Ross, Companion of the Star of India, Her Britannic Majesty's Political Resident in the Persian Gulf;

And His Highness the Sultan of Muskat in person;

Who have agreed upon and concluded the following Articles:—

ARTICLE I.

Abrogation of Treaty of May 31, 1839.

The Treaty concluded between the British Government and Sultan Seyyid Saeed-bin-Sultan of Muskat and Oman on the 31st May, 1839 (17 Rabia 1st, 1255), is hereby cancelled and declared void, and the present Treaty, when ratified, shall be substituted for it.

ARTICLE II.

British Subjects (including Subjects of Native States in India).—General Most-favoured-nation Treatment.

Subjects of Her Britannic Majesty shall, for the purposes of this Treaty, include subjects of Native States in India in alliance with Her Majesty. Such subjects shall enjoy, immediately and unconditionally, throughout the dominions of His Highness the Sultan of Muskat, with respect to commerce, shipping, and the exercise of trade, as in every other respect, all the rights, privileges, immunities, advantages, and protection of whatsoever nature, which are, or hereafter may be, enjoyed by, or accorded to, the subjects or citizens of the most favoured nation.

They shall, more especially, not be liable to other or more onerous duties, imposts, restrictions, or obligations of whatever description, than those to which subjects or citizens of the most favoured nation now are, or hereafter may be, subjected.

ARTICLE III.

Appointment and Privileges of Consular Officers.—Most-favoured-nation Treatment.

The two High Contracting Parties acknowledge reciprocally to each other the right of appointing Consuls to reside in each other's dominions wherever the interests of commerce may require the presence of such officers; and such Consuls shall at all times be placed, in the country in which they reside, on the footing of the Consuls of the most favoured nations. Each of the High Contracting Parties further agree to permit his own subjects to be appointed to Consular offices by the other Contracting Party, provided always that the persons so appointed shall not begin to act without the previous approbation of the Sovereign whose subjects they may be. The public functionaries of either Government residing in the dominions of the other, shall enjoy the same privileges, immunities, and exemptions which are enjoyed within the same dominions by similar public functionaries of other countries.

ARTICLE IV.

Freedom of Commerce and Navigation, Travel, Residence, Trade.—Hiring of Houses, &c.—Transaction of Business.—Employment of Agents.

There shall be perfect freedom of commerce and navigation between the High Contracting Parties; each shall allow the

subjects of the other to enter all ports, creeks, and rivers with their vessels and cargoes, also to travel, reside, pursue commerce and trade, whether wholesale or retail, in each other's dominions. and therein to hire, purchase, and possess houses, warehouses, shops, stores, and lands. British subjects shall everywhere be freely permitted, whether personally or by agent, to bargain for, buy, barter, and sell all kinds of goods, articles of import, or native production, whether intended for sale within the dominions of His Highness or for export, and to arrange with the owner or his agent regarding the price of all such goods and produce without interference of any sort on the part of the authorities of His Highness.

Monopolies, &c.

His Highness the Sultan of Muskat binds himself not to allow or recognize the establishment of any kind of monopoly or exclusive privilege of trade within his dominions to any Government, Association, or individual.

ARTICLE V.

Acquisition and Disposal of Property.

Subjects of Her Britannic Majesty shall be permitted, throughout the dominions of His Highness the Sultan, to acquire by gift, purchase, intestate succession, or under will, or any other legal manner, land, houses, and property of every description, whether movable or immovable, to possess the same; and freely to dispose thereof by sale, barter, donation, or otherwise.

ARTICLE VI.

Import Duties in Muskat.—Most-favoured-nation Treatment.

His Highness the Sultan shall be permitted to levy a duty of entry not exceeding 5 per cent. on the value of all goods and merchandize, of whatever description, imported by sea from foreign countries into His Highness' dominions. This duty shall be paid at that port in His Highness' dominions where the goods are first landed, and, on payment thereof, such goods shall thereafter be exempt, within the Sultan's dominions, from all other customs duties or taxes, levied by, or on behalf of, the Government of His Highness the Sultan, by whatever names these may be designated, and no higher import duty shall be claimed from British subjects than that which is paid by subjects or citizens of the most favoured nation.

This duty, once paid, shall cover, from all other charges on the part of His Highness the Sultan, goods of whatever description coming from foreign countries by sea, whether these are intended for local consumption or for transmission elsewhere in bulk or otherwise, and whether they remain in the state in which they are imported or have been manufactured.

Goods exempted from Duty.

There shall, however, be exempted from payment of all duty the following, namely:—

1. All goods and merchandize which, being destined for a foreign port, are transhipped from one vessel to another in any of the ports of His Highness the Sultan of Muskat, or which have been for this purpose provisionally landed and deposited in any of the Sultan's custom-houses to await the arrival of a vessel in which to be reshipped aboard. But goods and merchandize so landed shall be exempted only, provided that the consignee or his agent shall have, on the arrival of the ship, handed over the said goods to be kept under Customs seal, and declared them as landed for transshipment, designating at the same time the foreign port of destination, and also provided that the said goods are actually shipped for the said foreign port as originally declared, within a period not exceeding six months after their first landing, and without having, in the interval, changed owners.

2. All goods and merchandize which, not being consigned to a port within the dominions of the Sultan, have been inadvertently landed, provided that such goods are reshipped within a month of being so landed and transported abroad. Should, however, such goods or merchandize, here spoken of, be opened or removed from the custody of the Customs authorities, the full duty shall then be payable on the same.

3. Coals, naval provisions, stores, and fittings, the property of Her Majesty's Government, landed in the dominions of His Highness for the use of the ships of Her Majesty's navy.

4. All goods and merchandize transhipped or landed for the repair of damage caused by stress of weather or other disaster at sea, provided the cargo so discharged shall be reshipped and taken away on board of the same vessel, or if the latter shall have been condemned, or her departure delayed in any other manner.

ARTICLE VII.

Imports to and Exports from Muskat: Prohibitions.—Export Duties.

No article whatever shall be prohibited from being imported into or exported from the territories of His Highness the Sultan

of Muskat, and no export duties are to be levied on goods exported from those territories except with the consent of the Government of Her Britannic Majesty, such consent being subject to the conditions that may be laid down in the notifications intimating the same.

ARTICLE VIII.

British Ships not to be exempt from Harbour, Tonnage, Lighthouse, &c., Dues.

It is agreed and understood by the High Contracting Parties that, in the event of an arrangement being entered into hereafter between His Highness and the Powers having Treaty relations with Muskat, and to which Great Britain shall be a consenting Party, whereby vessels entering the port of Muskat shall be charged with shipping, tonnage, or harbour dues, such dues to be administered under the control of a special Board for the improvement of the harbour and construction and maintenance of lighthouses, &c.; nothing in the aforementioned provisions shall be construed so as to exempt British vessels from payment of such shipping, harbour, or tonnage dues as may hereafter be agreed upon.

ARTICLE IX.

Mode of Payment of Duties in Muskat.

It shall be at the option of the British subject in each case to pay the percentage duties stipulated in Article VI, either in cash, or, if the nature of the goods allows of it, in kind, by giving up an equivalent amount of the goods or produce.

In the event of payment being made in cash, the value of the merchandize, goods, or produce on which duty is to be levied, shall be fixed according to the ready-money market price ruling at the time when the duty is levied. In the case of foreign imports, the value shall be fixed according to the market price at Muskat, and in that of native goods and produce by the market price at the place where the merchant shall choose to pay the duty.

In the event of any dispute arising between a British subject and the Custom-house authorities regarding the value of such goods, this shall be determined by reference to two experts, each party nominating one, and the value so ascertained shall be decisive. Should, however, these experts not be able to agree, they shall choose an Umpire, whose decision is to be considered final.

ARTICLE X.

Freedom of Transit through Muskat.

His Highness the Sultan of Muskat engages by the present Treaty to provide and give orders to his officials that the movement of goods in transit shall not be obstructed or delayed in a vexatious manner by unnecessary Customs formalities and Regulations, and that every facility will be given for their transport.

ARTICLE XI.

Vessels in Distress.—Wrecks.—Salvage.

British vessels entering a port in the dominions of His Highness the Sultan of Muskat, in distress, shall receive from the local authorities all necessary aid to enable them to revictual and refit so as to proceed on their voyage.

Should a British vessel be wrecked off the coast of His Highness' dominions, the authorities of His Highness shall render all assistance in their power to the distressed vessel, in order to save the ship, her cargo, and those on board; they shall also give aid and protection to persons saved, and shall assist them in reaching the nearest British Consulate; they shall further take every possible care that the goods so recovered are safely stored, and kept for the purpose of being handed over to the owner, captain, agent of the ship, or British Consul, subject always to rights of salvage.

His Highness' authorities shall further see that the British Consulate is at once informed of such disaster having occurred.

Should a British vessel, wrecked on the coast of His Highness' dominions, be plundered, the authorities of His Highness shall, as soon as they come to know thereof, render prompt assistance and take measures to pursue and punish the robbers, and recover the stolen property. Likewise, should a vessel of His Highness the Sultan of Muskat, or of one of his subjects, enter a British port in distress, or be wrecked off the coast of Her Majesty's dominions, the like help and assistance shall be rendered by the British authorities.

ARTICLE XII.

Seamen Deserters.

Should sailors or others belonging to a British ship of war or merchant-vessel desert and take refuge on shore or on board

of any of His Highness' ships, the authorities of His Highness the Sultan of Muskat shall, upon request of a Consular official, or, in his absence, of the captain of the ship, take the necessary steps in order to have them arrested and delivered over to the Consular official or to the captain.

In this, however, the Consular officer and captain shall render every assistance.

ARTICLE XIII.

British Consular Jurisdiction.

Subjects of Her Britannic Majesty shall, as regards their person and property, enjoy within the dominions of His Highness the Sultan of Muskat the rights of extraterritoriality.

The authorities of His Highness the Sultan have no right to interfere in disputes with subjects of Her Britannic Majesty amongst themselves, or between them and members of other Christian nations; such questions, whether of a civil or criminal nature, shall be decided by the competent Consular authorities. The trial and also the punishment of all offences and crimes of which British subjects may be accused within the dominions of His Highness the Sultan, also the hearing and settlement of all civil questions, claims, or disputes in which they are the defendants is expressly reserved to the British Consular authorities and Courts, and removed from the jurisdiction of His Highness the Sultan.

Should disputes arise between subjects of His Highness the Sultan or other non-Christian Power, not represented by Consuls at Muskat, and a subject of Her Britannic Majesty, in which the British subject is the plaintiff or complainant, the matter shall be brought before and decided by the highest authority of the Sultan, or some person specially delegated by him for this purpose. The proceedings and final decision in such a case shall not, however, be considered legal unless notice has been given and an opportunity afforded for the British Consul or his substitute to attend at the hearing and final decision.

ARTICLE XIV.

Protection of Subjects of Muskat, &c., in Service of British Subjects.

Subjects of His Highness the Sultan, or any non-Christian nation, not represented by Consuls at Muskat, who are in the regular service of British subjects within the dominions of His Highness the Sultan of Muskat, shall enjoy the same protection as British subjects themselves.

Should they be charged with having committed a crime or serious offence punishable by law, they shall, on sufficient evidence being shown to justify further proceedings, be handed over by British employers, or by order of the British Consul, to the authorities of His Highness the Sultan for trial and punishment.

ARTICLE XV.

Bankruptcy of British Subjects in Muskat.

Should a subject of Her Majesty residing in the dominions of His Highness the Sultan of Muskat be adjudicated bankrupt, the British Consul shall take possession of, recover, and realize all available property and assets of such bankrupt, to be dealt with and distributed according to the provisions of English Bankruptcy Law.

ARTICLE XVI.

Recovery of Debts.

Should a subject of His Highness the Sultan of Muskat resist or evade payment of the just and rightful claims of a British subject, the authorities of His Highness the Sultan shall afford to the British creditor every aid and facility in recovering the amount due to him. In like manner the British Consul shall afford every aid and facility to subjects of His Highness the Sultan of Muskat, in recovering debts justly due to them from a British subject.

ARTICLE XVII.

Estates of deceased British Subjects.

Should a British subject die within the dominions of His Highness the Sultan of Muskat, or dying elsewhere leave property therein, movable or immovable, the British Consul shall be authorized to collect, realize, and take possession of the estate of the deceased, to be disposed of according to the provisions of English law.

ARTICLE XVIII.

Inviolability of Dwellings, &c., of British Subjects.

The houses, dwellings, warehouses, and other premises of British subjects, or of persons actually in their regular service within the dominions of His Highness the Sultan of Muskat, shall not be entered, or searched under any pretext, by the officials of His Highness without the consent of the occupier,

unless with the cognizance and assistance of the British Consul or his substitute.

ARTICLE XIX.

British Subjects not exempt from Municipal or Sanitary Taxes.

It is hereby agreed between the two High Contracting Parties, that, in the event of an agreement being hereafter arrived at between His Highness the Sultan of Muskat and the various Powers with which His Highness shall be in Treaty relations, including Great Britain, which must be a consenting party, whereby the residents of a district or town shall, without distinction of rationality, be made subject to the payment of local taxes, for municipal and sanitary puposes, the same to be fixed and administered by or under the control of a special Board, nothing contained in this Treaty shall be understood so as to exempt British residents from the payment of such taxes.

ARTICLE XX.

Liberty of Conscience.—Freedom of Religious Worship.

Subjects of the two High Contracting Parties shall, within the dominions of each other, enjoy freedom of conscience and religious toleration, the free and public exercise of all forms of religion, and the right to build edifices for religious worship.

ARTICLE XXI.

Application of Treaty to British Colonies.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty so far as the laws permit, excepting to those hereinafter named that is to say, except to—

The Dominion of Canada.

Newfoundland.

The Cape of Good Hope.

Natal.

New South Wales.

Victoria.

Queensland.

Tasmania.

South Australia.

Western Australia.

New Zealand.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions, on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Muskat to His Highness the Sultan within two years from the date of exchange of the ratifications of the present Treaty.

ARTICLE XXII.

English Text of Treaty to be decisive in case of Disputes.

The present Treaty has been executed in quadruplicate, two copies being written in English and two in Arabic. These are understood to be of similar import and signification; in the event, however, of doubt hereafter arising as to the proper interpretation of the English or Arabic text of one or other of the Treaty stipulations, the English text shall be considered decisive. The Treaty shall come into operation within one month after the date when the ratifications may take place.

ARTICLE XXIII.

Revision of Treaty.

After the lapse of twelve years from the date on which this Treaty shall come into force, and on twelve months' notice given by either Party, this Treaty shall be subject to revision by Plenipotentiaries appointed on both sides for this purpose, who shall be empowered to decide on and adopt such amendments as experience shall prove to be desirable.

In witness whereof Colonel Edward Charles Ross, C.S.I., on behalf of Her Majesty the Queen of Great Britain and Ireland, and Empress of India, and His Highness Seyyed Feysal-bin-Turki, Sultan of Muskat, on his own behalf, have signed the same, and affixed thereto their respective seals.

Done at Muskat, this 19th day of March, 1891, corresponding to the 8th Shaaban of the year 1308 Hijreea.

(Signed) EDWARD CHARLES ROSS, *Colonel,*
Political Resident in the Persian Gulf.

(Signature in Arabic of His Highness the
Sultan of Muskat.)

LIST OF BRITISH COLONIES WHICH ACCEDED TO THE TREATY UNDER ARTICLE XXI:

1. Natal	..	..	October 23, 1892
2. Queensland	..	}	December 15, 1892
3. Newfoundland	..		
4. Canada	...	..	April 11, 1893

THE FOLLOWING COLONIES HAVE NOT ACCEDED TO THE TREATY:

1. Cape of Good Hope.
2. Victoria.
3. Tasmania.
4. Western Australia.
5. New Zealand.
6. New South Wales.
7. South Australia.

No. 117.

PROTOCOL BETWEEN GREAT BRITAIN AND MUSKAT AS TO
DURATION OF TREATY OF MARCH 19, 1891.

Signed at Muskat, February 20, 1892.

*Right of either Party to terminate Treaty after Twelve Years
by giving Twelve Months' Notice.*

THE Undersigned in proceeding to the exchange of ratifications of the Treaty signed at Muskat on the 19th March, 1891, between Her Majesty the Queen of Great Britain and Ireland, Empress of India, and His Highness Seyyed Feysal-bin-Turki, Sultan of Muskat, have agreed to the present Protocol, which shall have the same force and validity as if it had been inserted in the body of the Treaty itself.

It is agreed that under Article XXIII of the said Treaty either of the High Contracting Parties shall be at liberty, after the expiration of twelve years from the date on which the Treaty has come into force, to terminate the said Treaty at any time on giving twelve months' notice.

In witness whereof the Undersigned, duly authorized for the purpose, have signed the présent Protocol, in quadruplicate, and have affixed thereto their seals.

Done at Muskat, on the 20th day of February, 1892.

(Signed): A. C. TALBOT, *Lieutenant-Colonel,*
Political Resident, Persian Gulf.

(L.S.)

(Signature in Arabic of His Highness
the Sultan of Muskat.)

(L.S.)

NETHERLANDS.

No. 118.

TREATY BETWEEN GREAT BRITAIN AND THE NETHER-
LANDS RESPECTING TERRITORY AND COMMERCE IN THE
EAST INDIES.

*Signed at London, March 17, 1824.**

In the Name of the Most Holy and Undivided Trinity.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, desiring to place upon a footing, mutually beneficial, Their respective Possessions and the Commerce of Their Subjects in the East Indies, so that the welfare and prosperity of both Nations may be promoted, in all time to come, without those differences and jealousies which have, in former times, interrupted the harmony which ought always to subsist between Them; and being anxious that all occasions of misunderstanding between Their respective Agents may be, as much as possible, prevented; and in order to determine certain questions which have occurred in the execution of the Convention made at London on the 13th of August, 1814, in so far as it respects the Possessions of His Netherland Majesty in the East, have nominated Their Plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland, The Right Honourable George Canning, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, and His said Majesty's Principal Secretary of State for Foreign Affairs;—And the Right Honourable Charles Watkin Williams Wynn, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, Lieutenant-Colonel Commandant of the Montgomeryshire Regiment of Yeomanry Cavalry, and President

* Signed also in Dutch.

of His said Majesty's Board of Commissioners for the Affairs of India :

And His Majesty the King of the Netherlands, Baron Henry Fagel, Member of the Equestrian Corps of the Province of Holland, Counsellor of State, Knight Grand Cross of the Royal Order of the Belgic Lion, and of the Royal Guelphic Order, and Ambassador Extraordinary and Plenipotentiary of His said Majesty to His Majesty the King of Great Britain ;—And Anton Reinhard Falck, Commander of the Royal Order of the Belgic Lion, and His said Majesty's Minister of the Department of Public Instruction, National Industry, and Colonies :

Who, after having mutually communicated their full powers, found in good and due form, have agreed on the following Articles :—

ARTICLE I.

Trade with Eastern Archipelago, India, and Ceylon.—Most-favoured-nation Treatment.

The High Contracting Parties engage to admit the Subjects of each other to Trade with Their respective Possessions in the Eastern Archipelago, and on the Continent of India, and in Ceylon, upon the footing of the most favoured Nation ; Their respective Subjects conforming themselves to the local Regulations of each Settlement.

ARTICLE II.

Import and Export Duties.

The Subjects and Vessels of one Nation shall not pay, upon importation or exportation, at the Ports of the other in the Eastern Seas, any duty at a rate beyond the double of that at which the Subjects and Vessels of the Nation to which the Port belongs, are charged.

The duties paid on exports or imports at a British Port, on the Continent of India, or in Ceylon, on Dutch bottoms, shall be arranged so as, in no case, to be charged at more than double the amount of duties paid by British Subjects, and on British bottoms.

In regard to any article upon which no duty is imposed, when imported or exported by the Subjects, or on the Vessels, of the Nation to which the Port belongs, the duty charged upon the Subjects or Vessels of the other shall in no case exceed six per cent.

ARTICLE III.

*No Treaty to be made by either Power in Eastern Seas
excluding Trade of the other.*

The High Contracting Parties engage, that no Treaty hereafter made by Either with any Native Power in the Eastern Seas shall contain any Article tending, either expressly, or by the imposition of unequal duties, to exclude the Trade of the other Party from the Profits of such Native Power: and that if, in any Treaty now existing on either Part, any Article to that effect has been admitted, such Article shall be abrogated upon the conclusion of the present Treaty.

*All Treaties made by either Power with Natives in the Eastern
Seas to be communicated to the other.*

It is understood that, before the conclusion of the present Treaty, communication has been made by each of the Contracting Parties to the other, of all Treaties or Engagements subsisting between Each of Them, respectively, and any Native Power in the Eastern Seas; and that the like communication shall be made of all such Treaties concluded by Them, respectively, hereafter.

ARTICLE IV.

*Freedom of Trade and Communication between Natives in
Eastern Seas and Ports of either Power.*

Their Britannick and Netherland Majesties engage to give strict Orders, as well to Their Civil and Military Authorities, as to Their Ships of War, to respect the freedom of Trade, established by Articles I, II, and III; and in no case to impede a free communication of the Natives in the Eastern Archipelago, with the Ports of the Two Governments, respectively, or of the subjects of the Two Governments with the Ports belonging to Native Powers.

ARTICLE V.

Suppression of Piracy.

Their Britannick and Netherland Majesties, in like manner, engage to concur effectually in repressing Piracy in those Seas: They will not grant either asylum or protection to Vessels engaged in Piracy, and They will in no case permit

the Ships or Merchandize captured by such Vessels to be introduced, deposited, or sold, in any of their Possessions.

ARTICLE VI.

Officers of either Power not to conclude fresh Treaties with Natives in Eastern Seas without the Consent of their Government.

It is agreed that Orders shall be given by the Two Governments to Their Officers and Agents in the East, not to form any new Settlement on any of the Islands in the Eastern Seas, without previous Authority from their respective Governments in Europe.

ARTICLE VII.

Molucca Islands, Amboyna, Banda, Ternate, and their Dependencies excepted from Operation of Articles I to IV of Treaty until Netherland Government abandon Monopoly of Spices.

The Molucca Islands, and especially Amboyna, Banda, Ternate, and their immediate Dependencies, are excepted from the operation of the I, II, III, and IV, Articles, until the Netherland Government shall think fit to abandon the monopoly of Spices; but if the said Government shall, at any time previous to such abandonment of the monopoly, allow the Subjects of any Power, other than a Native Asiatic Power, to carry on any Commercial Intercourse with the said Islands, the Subjects of His Britannick Majesty shall be admitted to such Intercourse, upon a footing precisely similar.

ARTICLE VIII.

Cession of all Netherland Establishments in India to Great Britain.

His Netherland Majesty cedes to His Britannick Majesty all His Establishments on the Continent of India; and renounces all privileges and exemptions enjoyed or claimed in virtue of those Establishments.

ARTICLE IX.

Cession of British Possessions in Sumatra to Netherlands.

The Factory of Fort Marlborough, and all the English Possessions on the Island of Sumatra, are hereby ceded to

His Netherland Majesty; and His Britannick Majesty further engages that no British Settlement shall be formed on that Island, nor any Treaty concluded by British Authority, with any Native Prince, Chief, or State therein.

ARTICLE X.

Cession of Malacca to Great Britain.—Netherland Government engage to form no Establishment in Malaccan Peninsula nor to make Treaties with Natives.

The Town and Fort of Malacca, and its Dependencies, are hereby ceded to His Britannick Majesty; and His Netherland Majesty engages, for Himself and His Subjects, never to form any Establishment on any part of the Peninsula of Malacca, or to conclude any Treaty with any Native Prince, Chief, or State therein.

ARTICLE XI.

No Objection to Occupation of Billiton Island by Netherlands.

His Britannick Majesty withdraws the objections, which have been made to the occupation of the Island of Billiton and its Dependencies, by the Agents of the Netherland Government.

ARTICLE XII.

No Objection to Occupation of Island of Singapore by Great Britain.

His Netherland Majesty withdraws the objections which have been made to the occupation of the Island of Singapore, by the Subjects of His Britannick Majesty.

British Government engage to make no Establishment on or to conclude Treaties with Carimon Islands, Battam, Bintang, Lingin, or other Islands south of Straits of Singapore.

His Britannick Majesty, however, engages, that no British Establishment shall be made on the Carimon Isles, or on the Islands of Battam, Bintang, Lingin, or on any of the other Islands south of the Straits of Singapore, nor any Treaty concluded by British Authority with the Chiefs of those Islands.

ARTICLE XIII.

*Cessions mentioned in preceding Articles to be effected on
March 1, 1825.*

All the Colonies, Possessions, and Establishments which are ceded by the preceding Articles, shall be delivered up to the Officers of the respective Sovereigns on the 1st March, 1825. The Fortifications shall remain in the state in which they shall be at the period of the notification of this Treaty in India; but no claim shall be made, on either side, for ordnance, or stores of any description, either left or removed by the ceding Power, nor for any arrears of revenue, or any charge of administration whatever.

ARTICLE XIV.

*Six years allowed to Inhabitants of Ceded Territories to dispose
of their property or to leave the places.*

All the Inhabitants of the Territories hereby ceded, shall enjoy, for a period of Six Years from the date of the Ratification of the present Treaty, the liberty of disposing, as they please, of their property, and of transporting themselves, without let or hindrance, to any Country to which they may wish to remove.

ARTICLE XV.

*Territories mentioned in Articles VIII to XII not to be ceded to any
other Power.—In case of abandonment by either Power the other
to have right of occupation.*

The High Contracting Parties agree that none of the Territories or Establishments mentioned in Articles VIII, IX, X, XI, and XII, shall be, at any time, transferred to any other Power. In case of any of the said Possessions being abandoned by one of the present Contracting Parties, the right of occupation thereof shall immediately pass to the other.

ARTICLE XVI.

*Settlement of Accounts, &c., arising out of restoration of
Java, &c., to Netherlands.*

It is agreed that all accounts and reclamations arising out of the restoration of Java, and other Possessions, to the

Officers of His Netherland Majesty in the East Indies, as well those which were the subject of a Convention made at Java on the 24th June, 1817, between the Commissioners of the Two Nations, as all others, shall be finally and completely closed and satisfied, on the payment of the sum of one hundred thousand pounds, sterling money, to be made in London on the part of the Netherlands, before the expiration of the Year 1825.

ARTICLE XVII.

Ratifications.

The present Treaty shall be ratified, and the Ratifications exchanged at London, within Three Months from the date hereof, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and affixed thereunto the Seals of their Arms.

Done at London, the seventeenth day of March, in the Year of Our Lord one thousand eight hundred and twenty-four.

(L.S.) GEORGE CANNING.
(L.S.) CHARLES WATKIN WILLIAMS WYNN.
(L.S.) H. FAGEL.
(L.S.) A. R. FALCK.

NOTE ADDRESSED BY THE BRITISH PLENIPOTENTIARIES TO THE PLENIPOTENTIARIES OF THE NETHERLANDS.

IN proceeding to the signature of the Treaty which has been agreed upon, the Plenipotentiaries of His Britannick Majesty have great satisfaction in recording their sense of the friendly and liberal spirit which has been evinced by Their Excellencies the Plenipotentiaries of His Netherland Majesty; and their conviction that there is on both sides an equal disposition to carry into effect, with sincerity and good faith, the Stipulations of the Treaty, in the sense in which they have been negotiated.

The differences which gave rise to the present discussion are such as it is difficult to adjust by formal Stipulation; consisting, in great part, of jealousies and suspicions, and arising out of the acts of subordinate Agents, they can only be removed by a frank declaration of intention, and a mutual

understanding as to principles between the Governments themselves.

The disavowal of the proceedings whereby the execution of the Convention of August, 1814, was retarded, must have satisfied Their Excellencies the Netherlands Plenipotentiaries of the scrupulous regard with which England always fulfils her engagements.

The British Plenipotentiaries record with sincere pleasure the solemn disavowal, on the part of the Netherland Government, of any design to aim, either at political supremacy, or at commercial monopoly, in the Eastern Archipelago. They willingly acknowledge the readiness with which the Netherland Plenipotentiaries have entered into Stipulations, calculated to promote the most perfect freedom of Trade between the Subjects of the Two Crowns, and their respective Dependencies in that part of the World.

The Undersigned are authorized to express the full concurrence of His Britannick Majesty, in the enlightened views of His Majesty the King of the Netherlands.

Aware of the difficulty of adapting at once, to a long established system of monopoly, the principles of commercial policy which are now laid down, the Undersigned have been authorized to consent to the exception of the Molucca Islands from the general Stipulation for freedom of Trade, contained in the Treaty. They trust, however, that, as the necessity for this exception is occasioned solely by the difficulty of abrogating, at the present moment, the monopoly of Spices, its operation will be strictly limited by that necessity.

The British Plenipotentiaries understand the term *Moluccas*, as applicable to that cluster of Islands, which has Celebes to the Westward, New Guinea to the Eastward, and Timor to the Southward; but that these three Islands are not comprehended in the exception: nor would it have included Ceram, if the situation of that Island, in reference to the two principal Spice Isles, Amboyna and Banda, had not required a prohibition of intercourse with it, so long as the monopoly of Spices shall be maintained.

The territorial exchanges which have been thought expedient for avoiding a collision of interests, render it incumbent upon the Plenipotentiaries of His Britannick Majesty to make, and to require, some explanations with respect to the Dependents and Allies of England, in the Island from which She is about to withdraw.

A Treaty concluded in the Year 1819, by British Agents, with the King of Acheen, is incompatible with the IIIrd Article of the present Treaty. The British Plenipotentiaries therefore undertake that the Treaty with Acheen shall, as soon as possible, be modified into a simple Arrangement for the hospitable reception of British Vessels and Subjects in the Port of Acheen. But as some of the provisions of that Treaty (which has been communicated to the Netherland Plenipotentiaries),

will be conducive to the general interests of Europeans established in the Eastern Seas, they trust that the Netherland Government will take measures for securing the benefit of those Provisions. And they express their confidence that no measures hostile to the King of Acheen will be adopted by the new Possessor of Fort Marlborough.

It is no less the duty of the British Plenipotentiaries to recommend to the friendly and paternal protection of the Netherland Government, the interests of the Natives and Settlers, subject to the ancient Factory of England at Ben-
coolen.

This appeal is the more necessary, because so lately as the Year 1818, Treaties were made with the Native Chiefs, by which their situation was much improved. The system of forced cultivation and delivery of Pepper was abolished; encouragement was given to the cultivation of Rice; the relations between the cultivating Classes and the Chiefs of the Districts were adjusted; the property in the soil was recognized in those Chiefs; and all interference in the detailed management of the Interior was withdrawn, by removing the European Residents from the Out-Stations, and substituting in their room Native Officers. All these measures were calculated greatly to promote the interests of the Native Inhabitants.

In recommending these interests to the care of the Netherland Government, the Undersigned request the Plenipotentiaries of his Netherland Majesty to assure their Government, that a corresponding attention will be paid, on the part of the British Authorities, to the Inhabitants of Malacca, and the other Netherland Settlements which are transferred to Great Britain.

In conclusion, the Plenipotentiaries of His Britannick Majesty congratulate Their Excellencies the Netherland Plenipotentiaries, upon the happy termination of their Conferences. They feel assured that, under the Arrangement which is now concluded, the Commerce of both Nations will flourish, and that the Two Allies will preserve inviolate in Asia, no less than in Europe, the friendship which has, from old times, subsisted between them. The disputes being now ended, which during two centuries have occasionally produced irritation, there will henceforward be no rivalry between the English and the Dutch Nations in the East, except for the more effectual establishment of those principles of liberal policy which both have this day asserted in the face of the World.

The Undersigned request Their Excellencies the Plenipotentiaries of His Netherland Majesty will accept the assurances of their distinguished consideration.

(Signed) GEORGE CANNING.

CHARLES WATKIN WILLIAMS WYNN.

London, March 17, 1824.

REPLY OF THE NETHERLAND PLÉNIPOTENTIARIES TO THE NOTE
OF THE PLÉNIPOTENTIARIES OF GREAT BRITAIN.

LES Soussignés, Plénipotentiaires de Sa Majesté Le Roi des Pays-Bas, ont trouvé, dans la Note qui vient de leur être remise par Leurs Excellences Messieurs les Plénipotentiaires Britanniques, un résumé fidèle des communications qui avaient eu lieu à l'époque où des circonstances indépendantes de la volonté des négociateurs amenèrent la suspension de leurs conférences.

Appelés à reprendre un travail dont l'achèvement a toujours été désiré de part et d'autre avec une égale sincérité, les Soussignés n'ont pas tardé à reconnaître dans leurs Collaborateurs, cet esprit d'équité et de conciliation, qui facilite l'arrangement des questions les plus compliquées, et auquel ils ne peuvent rendre hommage dans un moment plus opportun que celui, qui va sanctionner, par la signature d'un Traité formel, les dispositions adoptées après le plus mûr examen, comme éminemment utiles pour le maintien de la bonne intelligence, même entre les Agents inférieurs des Puissances Contractantes.

Ce but essentiel, cette tendance principale du Traité, sont palpables pour tous ceux qui en lisent avec attention les différens Articles. Ce qui s'y trouve expressément stipulé, semble devoir suffire pour lever d'un commun accord, toute incertitude qui pourrait se présenter par la suite. Cependant, comme Messieurs les Plénipotentiaires Britanniques ont cru devoir entrer dans quelques détails ultérieurs, les Soussignés, qui, de leur côté, sentent l'importance de ne rien donner au hasard dans une matière aussi intéressante, ne font aucune difficulté de les suivre dans ces détails, et de compléter, par le développement succinct de leur manière de voir, la réponse, due par eux, à la susdite Note de Leurs Excellences.

L'Article VII renferme une exception au principe général de la liberté du Commerce. La nécessité de cette exception, déjà admise par l'Angleterre dans les conférences de 1820, repose sur l'existence du système relatif au Commerce exclusif des épiceries. Si les délibérations du Gouvernement des Pays-Bas conduisent à l'abandon de ce système, aussitôt le Commerce libre reprend ses droits, et tout cet Archipel, qui a été fort justement décrit comme compris entre *Celebes*, *Timor* et la *Nouvelle Guinée*, est ouvert à toutes les spéculations légitimes, sur le pied à établir par les ordonnances locales, et, pour ce qui concerne en particulier les sujets de Sa Majesté Britannique, conformément aux bases consacrées par le Traité pour toutes les possessions Asiatiques des deux Parties Contractantes.

Par contre, aussi long-tems que l'exception, dont il s'agit, reste en vigueur, les navires qui traversent les Moluques, doivent s'abstenir de relâcher, dans d'autres Ports que ceux dont la désignation a été officiellement communiquée aux Puissances maritimes il y a quelques années; sauf les cas de

détresse pour lesquels il est superflu d'ajouter, qu'ils trouveront, dans tous les endroits où flotte le Pavillon des Pays-Bas, les services et les secours dûs à l'humanité souffrante.

Si le Gouvernement de la Grande Bretagne pense qu'il y a un avantage réel pour lui à ce qu'en se dégageant, d'après les principes consacrés par le Traité qui va être signé, des liaisons que ses Agens formèrent, il y a quatre ou cinq ans, dans le Royaume d'*Acheen*, il assure, par quelque stipulation nouvelle, l'accueil hospitalier des Sujets et Vaisseaux Britanniques dans les Ports de ce Royaume,—les Soussignés n'hésitent pas à déclarer que, de leur côté, ils n'y voyent aucun inconvénient; et ils croient pouvoir assurer, en même tems, que leur Gouvernement s'appliquera, sans délai, à régulariser ses rapports avec *Acheen* de manière que cet État, sans rien perdre de son indépendance, offre au Navigateur et au Commerçant cette constante sécurité, qui semble ne pouvoir y être établie, que par l'exercice modéré d'une influence Européenne.

A l'appui des informations contenues dans la dernière Note de Messieurs les Plénipotentiaires Britanniques, au sujet de *Bencoolen*, Leurs Excellences ont communiqué aux Soussignés les deux Conventions respectivement signées le 23 Mai et le 4 Juillet de 1818, d'un côté par le Lieutenant-Gouverneur de cet établissement, et de l'autre par les Chefs de quelques tribus voisines. On leur a aussi fait part d'une dépêche du Gouverneur-Général en Conseil, datée de *Fort William* le 9 Mai, 1823, et d'après laquelle l'Administration Britannique a aboli au Fort Marlborough le monopole du poivre, encouragé la culture du riz, et placé sur un pied stable et uniforme, les rapports des différentes classes de Natifs, tant entre elles qu'avec leurs chefs. Or, pour autant que les Soussignés ne se trompent point en supposant, que le but de ces arrangements a été d'assurer la prospérité agricole de la Colonie, et d'écarter les vexations qui résultent souvent du contact immédiat de la population indigène avec les autorités subalternes d'une administration étrangère, ils éprouvent une grande satisfaction à dire, que loin d'avoir à redouter des mesures rétroactives, les individus intéressés à l'ordre actuel des choses peuvent, au contraire, nourrir l'espoir, que le nouveau Gouvernement aura égard à leurs droits acquis, et à leur bien-être; et, ce que les Soussignés aiment surtout à garantir, il fera observer les Articles des Conventions déjà mentionnées, sur la foi desquels les habitans de *Pasummah*, *Ulu Manna*, et d'autres peuplades de l'intérieur ont reconnu l'autorité ou accepté la protection de la Compagnie des Indes Britanniques, sauf toutefois la faculté d'y substituer, du plein gré des parties intéressées, d'autres conditions analogues, si les circonstances venaient à rendre un changement nécessaire.

Quant aux dispositions équitables et bienveillantes du Gouvernement Britannique envers les habitans de *Malacca*, et des autres établissemens Hollandois, cédés par le Traité, les Plénipotentiaires de Sa Majesté le Roi des Pays-Bas en acceptent l'assurance avec une confiance illimitée; et ce même

sentiment les porte à ne pas insister, pour que les instructions et ordres, qui seront adressés aux Autorités Anglaises dans l'Inde, relativement à la remise du *Fort Marlborough*, et de ses dépendances, soient conçus en des termes tellement clairs, précis, et positifs, qu'on n'y puisse trouver aucun motif d'incertitude, ni aucun prétexte de délai; car ils sont persuadés que Messieurs les Plénipotentiaires Britanniques, après avoir apporté tant de modération et de loyauté à l'accomplissement de leur tâche, sauront veiller à ce que le résultat des travaux communs ne soit pas compromis par égard pour des intérêts subordonnés, et des considérations secondaires. Ce résultat, Messieurs les Plénipotentiaires Britanniques l'ont décrit eux-mêmes dans leur dernière Note, et il ne reste aux Soussignés qu'à se féliciter d'y avoir concouru, et à joindre leurs vœux à ceux de Leurs Excellences, pour que les Agens respectifs dans les Possessions Asiatiques se montrent toujours pénétrés du sentiment des devoirs, que deux Nations, amies et animées de vûes vraiment libérales, ont à remplir, tant l'une à l'égard de l'autre, que vis à vis des indigènes, que le cours des évènements ou les traités ont placés sous leur influence.

Les Soussignés saisissent avec empressement cette occasion de renouveler à Leurs Excellences Messieurs les Plénipotentiaires Britanniques l'assurance de leur considération la plus distinguée.

(Signé) H. FAGEL.
A. R. FALCK.

Londres, le 17 Mars, 1824.

No. 119.

TREATY OF COMMERCE AND NAVIGATION BETWEEN GREAT
BRITAIN AND THE NETHERLANDS.

*Signed at the Hague, October 27, 1837.**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and His Majesty the King of the Netherlands, on the other part, being equally desirous of affording every facility and encouragement to their subjects engaged in commercial intercourse with each other; and being of opinion, that nothing will more contribute to the attainment of this desirable object, than a reciprocal abrogation of all

* Signed also in Dutch.

discriminating and countervailing duties levied upon the Ships of the High Contracting Parties, or upon the cargoes of such Ships, in the Ports of either Kingdom in Europe, have appointed their Plenipotentiaries to conclude a Convention for that purpose, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Edward Cromwell Disbrowe, Knight Grand Cross of the Royal Hanoverian Guelphic Order, Her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands, Grand Duke of Luxemburg ;

And His Majesty the King of the Netherlands, John Gisbert, Baron Verstolk de Soelen, Member of the body of Nobles of the Province of Holland, Knight Grand Cross of the Orders of the Netherland Lion, and of Saint Stephen of Hungary, His Minister of State, holding the Department of Foreign Affairs :

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Commerce and Navigation.—Most-favoured-nation Treatment.

There shall be reciprocal liberty of commerce and navigation between and amongst the Subjects of the two High Contracting Parties ; and the Subjects of the two Sovereigns, respectively, shall not pay in the ports, harbours, roads, cities, towns, or places whatsoever in either Kingdom, any other or higher duties, taxes, or imposts, under whatsoever names designated or included, than those which are there paid by the Subjects of the most favoured nation ; and the Subjects of each of the High Contracting Parties shall enjoy the same rights, privileges, liberties, favours, immunities, and exemptions, in matters of Commerce and Navigation, that are granted, or may hereafter be granted, in either Kingdom to the Subjects of the most favoured nation.

Imports.—Most-favoured-nation Treatment.

No duty of customs or other impost shall be charged upon any goods the produce of one country, upon importation, by sea or by land, from such country into the other, higher than the duty or impost charged upon goods of the same kind, the produce of, or imported from, any other country ; and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, do hereby bind and engage themselves, not to grant any favour, privilege, or

immunity, in matters of Commerce and Navigation, to the Subjects of any other State, which shall not be also, and at the same time, extended to the Subjects of the other High Contracting Party, gratuitously, if the concession in favour of that other State shall have been gratuitous; and on giving as nearly as possible the same compensation or equivalent, in case the concession shall have been conditional.

ARTICLE II.

Tonnage, Harbour, Lighthouse, Pilotage, Quarantine, and other Dues.—National Treatment.

No duties of tonnage, harbour, lighthouses, pilotage, quarantine, or other similar or corresponding duties of whatever nature or under whatever denomination, shall be imposed in either country upon the Vessels of the other, in respect of voyages between the two countries, if laden, or in respect of any voyage if in ballast, which shall not be equally imposed, in the like cases, on national Vessels; and in neither country shall any duty, charge, restriction, or prohibition be imposed upon, nor any drawback, bounty, or allowance be withheld from, any goods imported from, or exported to the other country, in the Vessels of that other country, which shall not be equally imposed upon or withheld from such goods, when so imported or exported in national vessels.

ARTICLE III.

National Vessels.

In order to avoid any misunderstanding with regard to the regulations that determine the conditions which constitute a British or a Dutch Vessel, it is hereby agreed, that all Vessels built in the Dominions of Her Britannic Majesty, and all Vessels which, having been captured from an Enemy by Her Majesty's Ships of War, or by the Subjects of Her said Majesty, furnished by the Lords Commissioners of the Admiralty with letters of marque, shall have been regularly condemned in one of Her said Majesty's Prize Courts as a lawful prize; and all Vessels which shall have been condemned in any competent Court, for a breach of the laws made for the prevention of the Slave Trade; shall, provided they are owned, navigated, and registered according to the laws of Great Britain, be considered as British Vessels: and that all Vessels built in the Territories of the King of the Netherlands, or which, having been captured from an Enemy by His Majesty's Ships of War, or by the Subjects of His said Majesty furnished with letters of marque, shall have been regularly condemned in one of the

Prize Courts of the Kingdom of the Netherlands as a lawful prize; and all vessels which shall have been condemned in any competent Court, for a breach of the laws made for the prevention of the Slave Trade, shall, provided they are wholly owned by any Subject or Subjects of the King of the Netherlands, and provided that the Master and three-fourths of the crew are Netherland Subjects, be considered as Netherland Vessels.

ARTICLE IV.

[Abrogated by Convention of August 15, 1889.]

ARTICLE V.

Goods in Bond.

Forasmuch as all merchandize, of whatever origin, whether admissible for home consumption or not, may be received and warehoused in all the ports of the United Kingdom of Great Britain and Ireland, which are by law appointed to be warehousing ports for such articles, pending the entry of the same either for home consumption or for re-exportation, as the case may be, under the regulations appointed for this purpose, and without such articles being liable, in the mean time, to the payment of any of the duties with which they would be charged, if upon arrival they were entered for consumption within the United Kingdom; in like manner, the King of the Netherlands consents and agrees, that all the ports of His Netherland Majesty's Dominions, which are now, or which shall hereafter become, warehousing ports by law, shall be free ports for the reception and warehousing of all merchandize imported in British Ships, and of all articles whatever, the produce or manufacture of the British Dominions, in whatever ships imported, either for home consumption or for re-exportation, as the case may be; and the articles thus received and warehoused, subject to due regulations, shall not be liable, in the mean time, to any of the duties with which they would be charged, if they were entered for consumption on their arrival in the Netherlands.

ARTICLE VI.

Wrecks and Salvage.—National Treatment.

If any Ships of war or merchant Vessels should be wrecked on the coasts of either of the High Contracting Parties, such Ships or Vessels, or all parts thereof, and all furniture and

appurtenances belonging thereunto, and all goods and merchandize which shall be saved therefrom, or the produce thereof, if sold, shall be faithfully restored to the proprietors, upon being claimed by them or by their duly authorized factors; and if there are no such proprietors or factors on the spot, then the said goods and merchandize, or the proceeds thereof, as well as all the papers found on board such wrecked Ships or Vessels, shall be delivered to the British or Netherland Consul, in whose district the wreck may have taken place; and such Consul, proprietors, or factors, shall pay only the expenses incurred in the preservation of the property, together with the rate of salvage which would have been payable in the like case of a wreck of a national Vessel; and the goods and merchandize saved from the wreck shall not be subject to duties, unless cleared for consumption.

ARTICLE VII.

Duration of Treaty.

The present Treaty shall be in force for the term of ten years from the date hereof, and further, until the end of twelve months after either of the High Contracting Parties shall have given notice to the other, of its intention to terminate the same; each of the High Contracting Parties reserving to itself the right of giving such notice to the other at the end of the said term of ten years.

And it is hereby agreed between Them, that at the expiration of twelve months after such notice shall have been received by either Party from the other, this Treaty, and all the provisions thereof, shall altogether cease and determine.

ARTICLE VIII.

Ratifications.

The present Treaty shall be ratified, and the Ratifications shall be exchanged at the Hague, within one month from the date hereof, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at the Hague, this twenty-seventh day of October, in the year of our Lord one thousand eight hundred and thirty-seven.

(L.S.) EDW^d. CROMWELL DISBROWE.
(L.S.) VERSTOLK VAN SOELEN.

DECLARATION MADE BY THE PLENIPOTENTIARY OF HER
BRITANNIC MAJESTY, ON THE EXCHANGE OF THE RATIFI-
CATIONS OF THE PRECEDING TREATY.

*Treaty of October 27, 1837, does not apply to any British
Possession beyond Sea.*

IN proceeding to the exchange of the ratifications of the Treaty of Commerce and Navigation between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, concluded and signed at the Hague on the 27th of October, 1837, the Undersigned, Plenipotentiary of Her Britannic Majesty, is commanded by Her Majesty to explain and declare, that Her Majesty has ratified the said Treaty, notwithstanding that the Preamble thereof contains the words "in Europe," which Her Majesty's Government had objected to as redundant; but that Her Majesty considers those words to be without meaning, so far as Her Majesty's Dominions are concerned; because those words appear to establish a distinction between a Kingdom in Europe and a Kingdom out of Europe; whereas, by the word "Kingdom" in the said Treaty, Her Majesty, as far as regards Her own Territories, means only the United Kingdom of Great Britain and Ireland, which is well known to be in Europe, and does not mean any of the Possessions of Her Majesty's Crown beyond Sea. Her Majesty's Ratification of the said Treaty is exchanged under the explicit declaration and understanding above mentioned.

Done at the Hague, the twenty-second day of November, 1837.

(L.S.) EDWARD CROMWELL DISBROWE.

COUNTER-DECLARATION OF THE PLENIPOTENTIARY OF HIS
MAJESTY THE KING OF THE NETHERLANDS.

*Treaty of October 27, 1837, does not apply to Netherland
Possessions beyond Sea.*

MONSIEUR le Plénipotentiaire de Sa Majesté Britannique
ayant, avant de procéder à l'échange des Ratifications du

Traité de Commerce et de Navigation, conclu le vingt-sept Octobre, mil huit cent trente-sept, entre Sa Majesté le Roi des Pays Bas et Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, remis au Soussigné, Plénipotentiaire de Sa Majesté le Roi des Pays Bas une Déclaration, portant que Sa Majesté Britannique n'a point eu en vue dans le dit Traité les Possessions d'outre-mer de Sa Couronne; le Soussigné se trouve chargé par Sa Majesté le Roi des Pays Bas de déclarer que Sa dite Majesté accepte la Déclaration susmentionnée et qu'également, de Son côté, Elle n'a point entendu comprendre dans le dit Traité, les Possessions d'outre-mer de Sa Couronne.

Quant aux observations faites sur l'emploi des mots "en Europe" le Cabinet de la Haye est d'opinion, qu'elles trouvent leur solution dans la circonstance, que les termes "en Europe" s'appliquent au mot "Ports," et non au mot "Royaume."

La Haye, ce vingt-deux Novembre, mil huit cent trent-sept.

(L.S.) VERSTOLK DE SOELEN.

No. 120.

CONVENTION OF NAVIGATION BETWEEN GREAT BRITAIN AND THE NETHERLANDS, ADDITIONAL TO THE TREATY OF OCTOBER 27, 1837.

*Signed at London, March 27, 1851.**

[*Ratifications exchanged at London, April 16, 1851.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, being desirous of extending further the reciprocal privileges of navigation conferred on the ships of the two countries respectively by the Treaty of Commerce and Navigation between Her Britannick Majesty and His Majesty the King of the Netherlands, which was signed at the Hague on the 27th of October, 1837, have appointed as their Plenipotentiaries to conclude a Convention for that purpose; that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John

* Signed also in Dutch.

Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britannick Majesty's Most Honourable Privy Council, a Member of Parliament, Knight Grand Cross of the Most Honourable Order of the Bath, and Her Britannick Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Henry Labouchere, a Member of Her Britannick Majesty's Most Honourable Privy Council, a Member of Parliament, and President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations;

And His Majesty the King of the Netherlands, His Excellency Gerard Count Schimmelpenninck, Minister of State, Commander of the Royal Order of the Netherland Lion, Knight of the Royal Order of Frederick of Wurtemberg, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of the Netherlands at the Court of Her Britannick Majesty;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed that for and in lieu of the Second and Third Articles of the above-mentioned Treaty, the following Articles shall be substituted:—

ARTICLE I.

Tonnage, Harbour, Lighthouse, Pilotage, Quarantine and other Dues.—Drawbacks Bounties, &c.—National Treatment.

No duties of tonnage, harbour, lighthouse, pilotage, quarantine, or other similar or corresponding duties, of whatever nature or under whatever denomination, shall be imposed in the ports of either country upon the vessels of the other country, from whatever port or place arriving, which shall not be equally imposed in the like cases on national vessels; and in neither country shall any duty, charge, restriction, or prohibition, be imposed upon, nor any drawback, bounty, or allowance, be withheld from, any goods imported into or exported from such country in vessels of the other, which shall not be equally imposed upon or withheld from such goods, when so imported or exported in national vessels.

ARTICLE II.

National Vessels.

All vessels which, according to the laws of Great Britain, are to be deemed British vessels, and all vessels which, according to the laws of the Netherlands, are to be deemed Netherland vessels, shall, for the purposes of this Convention, and of the said Treaty of the 27th of October, 1837, be deemed British vessels and Netherland vessels respectively.

ARTICLE III.

Duration of Convention.

If any Act should hereafter be passed by the Legislature of either country, by which any of the privileges in regard to navigation and commerce which are respectively conceded by the British Act of Parliament of the 12th and 13th Victoria, cap. 29, and by the Netherland Law of the 8th of August, 1850, should be withdrawn, then and in such case, either of the High Contracting Parties shall be at liberty to terminate the present Convention, on giving to the other six weeks' notice of its wish to that effect.

ARTICLE IV.

This Convention to be additional to Treaty of 1837.

The present Convention shall be considered as additional to the above-mentioned Treaty of the 27th of October, 1837, and shall have the same duration as that Treaty, unless in the case provided for by Article III preceding.

Ratifications.

It shall be ratified, and the ratifications shall be exchanged at London as soon as may be within the space of four weeks from the date of its signature.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the twenty-seventh day of March, in the year of our Lord one thousand eight hundred and fifty-one.

(L.S.) PALMERSTON.
(L.S.) HENRY LABOUCHERE.
(L.S.) G. SCHIMMELPENNINCK.

No. 121.

CONVENTION BETWEEN GREAT BRITAIN AND THE NETHERLANDS, FOR THE RECIPROCAL ADMISSION OF CONSULS OF THE ONE PARTY TO THE COLONIES AND FOREIGN POSSESSIONS OF THE OTHER.

*Signed at the Hague, March 6, 1856.**

[Ratifications exchanged at the Hague, April 29, 1856.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, being desirous to strengthen the bonds of friendship which exist between the United Kingdom and the Kingdom of the Netherlands, and to secure the fullest possible extension to the relations of commerce happily established between the two nations, have consented to admit Consuls of the one Kingdom to the ports of the Colonies and foreign Possessions of the other, on condition, however, that such concessions shall form the subject of a special Convention.

For this purpose, Her Britannic Majesty and His Majesty the King of the Netherlands have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Sir Ralph Abercromby, Knight Commander of the Most Honourable Order of the Bath, Her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands, Grand Duke of Luxembourg;

And His Majesty the King of the Netherlands, the Sieur Floris Adrian van Hall, Knight Grand Cross of the Order of the Netherlands Lion, of the Order of the Crown of Oak, of the Order of the White Falcon of Saxe-Weimar, of the Order of Leopold of Belgium, of the Order of the Ernestine Branch of the House of Saxony, of the Imperial Russian Order of the White Eagle, and of the Hanoverian Guelphic Order, His Minister of State holding the Department of Foreign Affairs; and the Sieur Peter Mijer, Commander of the Order of the Netherlands Lion, His Minister holding the Department of the Colonies;

Who after having communicated to each other their

* Signed also in Dutch.

respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Admission of Consular Officers to Colonial Ports open to Vessels of all Nations.

Consuls-General, Consuls, and Vice-Consuls of Great Britain shall be admitted in all the ports of the Colonies and foreign Possessions of His Majesty the King of the Netherlands, which are open to the vessels of all nations.

In like manner Consuls-General, Consuls, and Vice-Consuls of the Netherlands shall be admitted in all the ports of the Colonies and foreign Possessions of Her Britannic Majesty, which are open to the vessels of all nations.

ARTICLE II.

Consular Officers to be considered as Protectors of Commerce, and to be subject to Civil and Criminal Laws of Colony.

The Consuls-General, Consuls, and Vice-Consuls shall be considered as commercial agents, and as protectors of the commerce of their nation within their respective Consular districts.

They shall be subject as well to the civil as to the criminal laws of the Colony or place where they reside, with the exceptions established in their favour by the present Convention.

ARTICLE III.

Consuls-General and Consuls to have Commissions and Exequaturs.

Every Consul-General or Consul of either of the two Contracting Parties appointed to reside in a Colony or foreign Possession of the other, shall, before being admitted to the exercise of his functions, and to the enjoyment of the immunities which are attached thereto, produce to the Government of the country to which the Colony or Possession belongs, a commission from his own Sovereign, and shall obtain from that Government an exequatur in due form, which shall, as soon as possible, be countersigned by the Governor of the Colony. He shall then be entitled to the protection of the

Government, and to the assistance of the local authorities for the free exercise of his functions.

It is understood that, with regard to Consuls of the Netherlands appointed to reside in the territories which are under the government of the East India Company, their commissions must be produced to the Government in London, and the exequatur or recognition will be granted by the Governor-General of India.

The Government which grants the exequatur reserves to itself the power of withdrawing it, or of causing it to be withdrawn by the Governor of the Colony or Possession; explaining, however, to the other Government its reasons for so doing.

ARTICLE IV.

Colonial Government to afford protection to Archives of Consulates.

The Government of a Colony or foreign Possession of either of the two High Contracting Parties shall afford every assistance and protection in its power for the safety of all archives and documents relative to the affairs of a Consulate of the other party established in such Colony or Possession.

ARTICLE V.

Consular Officers may place over their doors the Arms of their Sovereign, &c.

Consuls-General and Consuls shall be authorized to place above the outer door of their house a representation of the arms of their Sovereign, with the inscription "British Consulate," or "Consulate of the Netherlands," as the case may be.

No right of Asylum in Consulates from Jurisdiction of Local Authorities.

It is clearly understood that this external sign shall never be construed as giving a right of asylum, nor as exempting the house and the persons who reside in it, from the jurisdiction of the local judicial authorities.

ARTICLE VI.

Consular Officers have no Diplomatic Character but may address Governor of Colony on Urgent Matters.

Consuls-General, Consuls, and Vice-Consuls are not invested with any diplomatic character; but in all urgent cases of local and commercial interest, they may address themselves to the Governor of the Colony or Possession.

ARTICLE VII.

Appointment of Vice-Consuls.

Consuls-General and Consuls shall have the right to appoint Vice-Consuls for the ports of their Consular districts.

Such Vice-Consuls may be selected, without distinction, from subjects of either of the Contracting Parties, or from subjects or citizens of any other country residing, or qualified, according to the local laws, to be admitted to reside, in the port where the Vice-Consul is to be appointed.

The nomination of such Vice-Consuls shall be submitted by the Consul for the approbation of the Governor of the Colony or Possession; and they shall be furnished with an appointment signed by the Consul under whose orders they are to exercise their functions.

The Governor of the Colony or Possession may at any time withdraw from a Vice-Consul the approbation above mentioned; explaining to the Consul-General or Consul of the district his reasons for so doing.

ARTICLE VIII.

Bearers of Consular Passports.

Passports issued or countersigned by Consular Agents shall in no wise exempt the persons holding them from providing themselves with all the documents required by the local laws in order to travel or to establish themselves in the Colonies or foreign Possessions of the respective Parties.

The Governor of the Colony or Possession shall have the right to forbid the stay therein of any individual to whom a passport may have been delivered, or to order his departure.

ARTICLE IX.

Wrecks and Salvage.

If a vessel of one of the two Contracting Parties should be cast upon the coast of a Colony or foreign Possession of the other, and neither the owner, master, nor any person to represent him, should be upon the spot, the Consul-General, Consul, or Vice-Consul present at the place of the wreck or of the salvage shall take all the necessary measures for saving the vessel, the cargo, and all that appertains thereto, and shall take possession of the same for the benefit of the owners.

In the absence of the Consul-General, Consul, or Vice-Consul, the local authorities of the place where the vessel has been wrecked shall take the measures prescribed by the laws of the Colony or Possession. And in this case the ship, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, and any papers found on board of such ship, shall, on payment of the expenses incurred in the preservation of the property, and of the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel, be delivered to the owners or their agents, or to the British or Netherland Consul-General, Consul, or Vice-Consul, as the case may be.

Goods and merchandize saved from wreck shall in all cases be allowed to be cleared for consumption to the same extent, and on payment of the same duties, as if they had been imported in a ship belonging to the country in whose Colony or foreign Possession the wreck takes place; and no goods or merchandize so saved shall be liable to any import duties unless cleared for consumption.

The provisions of this Article shall however, on both sides, be held to be subject to any now existing Colonial laws.

ARTICLE X.

Seamen Deserters.

Arrangements having been already made between the Governments of Great Britain and of the Netherlands for the mutual arrest and surrender of seamen who may desert from merchant-vessels of the one country in the ports of the other, it is agreed that the local authorities in the Colonies and foreign Possessions of either of the two Contracting Parties shall afford to the Consuls-General, Consuls, and Vice-Consuls of the other all such assistance as they may be enabled by law to give, for the arrest and surrender of seamen who may desert from the merchant-vessels of their nation while in the ports of those Possessions and Colonies.

If the deserter shall have committed any crime or offence against the laws of the Colony or Possession, his surrender may be deferred until the Court which has cognizance thereof shall have given its sentence, and the sentence has been carried into effect.

ARTICLE XI.

Deaths of Subjects without known Heirs to be notified to Consular Officers.

If a subject of either of the two Contracting Parties should die in a Colony or foreign Possession of the other, without leaving any known heirs or testamentary executors, the authorities charged according to the law of the Colony or Possession with the administration of the succession, shall give notice of the death to the Consular Agent of the other Contracting Party, in order that he may transmit the requisite information to the parties interested.

ARTICLE XII.

Settlement of Disputes between Captains and Crews by Consular Officers.—Most-favoured-nation Treatment.

The Consuls-General, Consuls, and Vice-Consuls of one of the two Contracting Parties shall, in the Colonies and foreign Possessions of the other, have the right, so far as may be there permitted to the Consuls-General, Consuls, and Vice-Consuls of the most favoured nation and as far as the laws of their own country may permit them, to act as judges and arbitrators in differences which may arise between the captains and the crews of vessels of their own country, without the intervention of the local authorities, unless the conduct of the crew or of the captain should be such as to disturb the order and tranquillity of the place, or unless the Consuls-General, Consuls, and Vice-Consuls should require the assistance of the said authorities, in order to carry their decisions into execution, or to maintain the authority thereof.

It is, however, understood that any such special decision or arbitration shall not preclude the litigating parties from the right of appealing, on their return, to the judicial authorities of their own country.

ARTICLE XIII.

Exemption of Consular Officers from Compulsory Military Service and Requisitions.—Most-favoured-nation Treatment.

The Consuls-General, Consuls, and Vice-Consuls of one of the two Contracting Parties in the Colonies or Possessions of

the other, shall enjoy the same privileges which are or may be there granted to agents of the same character belonging to the most favoured nation; and specially they shall, unless subjects of the country, be exempt from all military service, and from military requisitions, as well as from all pecuniary compositions in lieu of military service.

Exemption of Consular Officers from Taxation.

Exemption from taxation shall, however, not be claimed for any such Consul-General, Consul, or Vice-Consul, who may be a subject of the country, or engaged in any profession, occupation, or business besides his Consular duties; nor unless a corresponding exemption be enjoyed by Consular Agents of that country of the same description in the Colonies and foreign Possessions of the other.

ARTICLE XIV.

Duration of Convention.

The present Convention shall continue in force for five years from the date of the exchange of the ratifications, which shall take place at the Hague as soon as possible within the period of two months.

In case neither of the Contracting Parties should have given notice to the other, twelve months before the expiration of the said period of five years, of its intention to put an end to the Convention, it shall continue in force a year longer, and so on from year to year, each party being at liberty to give the year's notice at the expiration of four years, or of any subsequent year.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the seals of their arms.

Done at the Hague, this sixth day of March, in the year of our Lord one thousand eight hundred and fifty-six.

(L.S.)	RA. ABERCROMBY.
(L.S.)	VAN HALL.
(L.S.)	P. MIJER.

No. 122.

CONVENTION BETWEEN GREAT BRITAIN AND THE NETHERLANDS FOR THE SETTLEMENT OF THEIR MUTUAL RELATIONS IN THE ISLAND OF SUMATRA.

*Signed at the Hague, November 2, 1871.**

[Ratifications exchanged at the Hague, February 17, 1872.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, being desirous to consolidate more and more, in the spirit of the Treaty of the 17th of March, 1824, the friendship between the two countries, and consequently also to remove all occasion of misunderstanding in their mutual relations on the Island of Sumatra, have agreed to conclude a Convention for that purpose, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Edward Alfred John Harris, Vice-Admiral, Companion of the Most Honourable Order of the Bath, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands;

And His Majesty the King of the Netherlands, Mr. Joseph Lodewijk Hendrik Alfred Baron Gericke van Herwijnen, Commander of the Order of the Netherlands Lion, Knight Grand Cross of the Order of the Oaken Crown of Luxemburg, &c., &c., His Minister of Foreign Affairs; and Mr. Pieter Philip van Bosse, Commander of the Order of the Netherlands Lion, Knight Grand Cross of the Order of the Oaken Crown of Luxemburg, &c., &c., His Minister for the Colonies;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

No Objection to Extension of Netherland Dominion in Sumatra.

Her Britannic Majesty desists from all objections against the extension of the Netherland dominion in any part of the

* Signed also in Dutch.

Island of Sumatra, and consequently from the reserve in that respect contained in the notes exchanged by the Netherland and British Plenipotentiaries at the conclusion of the Treaty of the 17th of March, 1824.

ARTICLE II.

British Trade and Navigation in Sumatra.—National Treatment.

His Majesty the King of the Netherlands declares that, in the Kingdom of Siak Srie Indrapoora and its dependencies, as it is defined in the compact concluded by the Netherland Indian Government with that Kingdom on the 1st of February, 1858, the trade of British subjects and the British navigation shall continue to enjoy all the rights and advantages that are or may be granted there to the trade of Netherland subjects and to the Netherland navigation; and further, that the same assimilation shall be granted to the trade of British subjects and to the British navigation in any other native State of the Island of Sumatra, that may hereafter become dependent on the Crown of the Netherlands, provided always that British subjects conform themselves to the laws and regulations of the Netherland Government.

ARTICLE III.

Stipulations of Article II not to interfere with Distinction between Individuals of Western and Eastern Extraction, nor with Application of Treaty of 1824.

The stipulations of the preceding Article shall not interfere with the distinction established by the Netherland-Indian laws and regulations between individuals of Western and individuals of Eastern extraction, nor with the application of the stipulations of the Convention of the 27th of March, 1851.

ARTICLE IV.

Ratifications.

The present Convention shall be ratified as soon as possible, and shall remain without force or effect until it has received, as far as shall be required, the approval of the States-General.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at the Hague, the second day of November, in the year of Our Lord One thousand eight hundred and seventy-one.

(L.S.)	E. A. J. HARRIS.
(L.S.)	L. GERICKE.
(L.S.)	VAN BOSSE.

No. 123.

ACCESSION OF THE DUTCH EAST INDIES TO THE INTERNATIONAL
UNION FOR THE PROTECTION OF INDUSTRIAL PROPERTY.

August 3, 1888.

(No. 1.)

*The President of the Swiss Confederation to the Marquis of
Salisbury.*

Excellence, *Berne, le 3 Août, 1888.*

NOUS avons l'honneur d'informer votre Excellence que le Gouvernement des Pays-Bas a décidé d'accéder, pour ses Colonies des Indes Orientales, à la Convention du 20 Mars, 1883, pour la protection de la propriété industrielle.

La date d'accession est fixée au 1^{er} Octobre prochain.

En priant votre Excellence de vouloir bien prendre note de ce qui précède, nous saisissons, &c.

Au nom du Conseil Fédéral Suisse :

Pour le Président de la Confédération.

(Signé) SCHENK.

Le Chancelier de la Confédération,

(Signé) RINGIER.

(No. 2.)

The Marquis of Salisbury to the President of the Swiss Confederation.

Sir, *Foreign Office, August 8, 1888.*

I HAVE the honour to acknowledge the receipt of your Excellency's communication of the 3rd instant, and to acquaint you that Her Majesty's Government have taken note with satisfaction of the accession of the Netherland Government, on behalf of the Dutch East Indian Colonies, to the Convention of the 20th March, 1883, for the protection of industrial property.

I have, &c.

(Signed) SALISBURY.

No. 124.

CONVENTION BETWEEN GREAT BRITAIN AND THE NETHERLANDS,
MODIFYING THE TREATY OF COMMERCE AND NAVIGATION
OF OCTOBER 27, 1837, AS REGARDS CUSTOMS REGULA-
TIONS.

Signed at London, August 15, 1889.*

[*Ratifications exchanged at London, May 23, 1891.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, being desirous of modifying the Treaty of Commerce and Navigation between His Majesty the King of the Netherlands and Her Britannic Majesty, which was signed at the Hague on the 27th October, 1837, have appointed as their Plenipotentiaries to conclude a Convention for that purpose, that is so say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Marquis of Salisbury, K.G., Her Majesty's Principal Secretary of State for Foreign Affairs;

His Majesty the King of the Netherlands, Charles Malcolm Ernest George, Count de Bylandt, Commander of the Order of the Netherlands Lion, Knight of the First Class of the Order of the Golden Lion of the House of Nassau, Grand Cross of the Oak Crown, &c., &c., His Envoy Extraordinary and Minister Plenipotentiary at London;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed as follows :—

ARTICLE I.

Calculation of Ad Valorem Duties.—Most-favoured-nation Treatment.—Article IV of Treaty of 1837 cancelled.

Article IV of the above-mentioned Treaty of the 27th October, 1837, is cancelled, and the following provision is substituted therefor: As regards the calculation of *ad valorem* duties, and all other questions of Customs Regulations, Dutch goods imported into the United Kingdom of Great Britain and Ireland, and British goods imported into the Netherlands,

* Signed also in Dutch,

shall be treated respectively in the same manner as goods of the most favoured nation in these respects.

ARTICLE II.

This Convention to be additional to Treaty of 1837.

The present Convention shall be considered additional to the above-mentioned Treaty of the 27th October, 1837, and shall have the same duration as that Treaty.

Ratifications.

It shall be ratified, and the ratifications shall be exchanged at London as soon as may be within the space of four weeks from the accomplishment of the formalities prescribed by the Constitution of the Netherlands.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London the fifteenth day of August, 1889.

(L.S.) SALISBURY.
(L.S.) C. VAN BYLANDT.

No. 125.

ACCESSION OF THE DUTCH COLONIES OF CURAÇAO AND SURINAM
TO THE INTERNATIONAL UNION FOR THE PROTECTION OF
INDUSTRIAL PROPERTY.

February 28, 1890.

— (No. 1.)

*The President of the Swiss Confederation to the Marquis of
Salisbury.*

Excellence, *Berne, le 28 Février, 1890.*

NOUS avons l'honneur d'informer votre Excellence que le Gouvernement des Pays-Bas a décidé d'accéder, pour ses Colonies de Curaçao et de Surinam, à la Convention du 20 Mars, 1883, pour la Protection de la Propriété Industrielle.

La date d'accession est fixée au 1^{er} Juillet prochain.

August 15
September 7, 1904.]

En priant votre Excellence de vouloir bien prendre acte de cette accession, nous saisissons, &c.

Au nom du Conseil Fédéral Suisse:

Le Président de la Confédération,

(Signé) L. RUCHONNET.

Le Chancelier de la Confédération,

(Signé) RINGIER.

(No. 2.)

The Marquis of Salisbury to the President of the Swiss Confederation.

Sir,

Foreign Office, March 13, 1890.

I HAVE the honour to acknowledge the receipt of your Excellency's communication of the 28th ultimo, and to acquaint you that Her Majesty's Government have taken note of the accession of the Dutch Colonies of Curaçao and Surinam to the Convention of the 20th March, 1883, for the Protection of Industrial Property.

I have, &c.

(Signed) SALISBURY.

No. 126.

EXCHANGE OF NOTES BETWEEN GREAT BRITAIN AND THE
NETHERLANDS AS TO THE RECIPROCAL PROTECTION OF
TRADE-MARKS IN CHINA.

August 15
September 7, 1904.

(No. 1.)

Sir H. Howard to Baron de Lynden.

M. le Ministre,

The Hague, August 15, 1904.

UNDER a British Order in Council of the 2nd of February, 1899, it is open to a foreigner whose trade-mark has been infringed by a British subject in China to take proceedings against the latter in the British Consular Court, provided—

1. That the consent in writing of the British Minister or Chargé d'Affaires be obtained to the prosecution; but

2. Such consent may be withheld unless the British Minister or Chargé d'Affaires is satisfied that effectual provision exists for the punishment in Consular or other Courts in China of similar acts committed by the subjects of the State or Power of which such prosecutor is a subject.

By correspondence with the French, German, and Italian Representatives at the Court of St. James, it has been ascer-

tained that provision exists for the punishment in the Consular Courts of France, Germany, and Italy in China of subjects of those countries, should they infringe British trade-marks, and the necessary information has been given to His Majesty's Representatives in Peking, and to the Representatives there of the above-mentioned countries to enable them to carry out the arrangements desired by their Governments for the mutual protection of their trade-marks.

In view of these arrangements I am desired by the Marquess of Lansdowne to enquire of your Excellency whether the Netherland Government would be disposed to conclude a similar arrangement with His Majesty's Government.

While expressing the hope that I may receive a favourable reply in this regard, and inclosing copies of the Order in Council of the 2nd February, 1899, as also of the correspondence which took place last year with the Italian Representative in London on the subject, I avail myself, &c.

(Signed) HENRY HOWARD.

(No. 2.)

Baron de Lynden to Sir H. Howard.

M. le Ministre,

La Haye, le 7 Septembre, 1904.

PAR son office du 15 Août dernier votre Excellence a bien voulu me proposer d'arriver à une entente concernant la protection réciproque des marques de fabrique et de commerce en Chine.

En réponse j'ai l'honneur de porter à la connaissance de votre Excellence que la Loi Néerlandaise protège les marques de fabrique et de commerce dûment enregistrées dans le pays, quelle que soit la nationalité de leur propriétaire, et cela non seulement lorsque les infractions ont été commises dans le pays même, mais aussi lorsqu'elles ont été commises dans un pays soumis au régime de l'exterritorialité, tel que la Chine.

Le Gouvernement Britannique étant disposé de donner des instructions analogues à son Représentant en Chine, j'ai informé le Ministre des Pays-Bas à Pékin que, dans le cas où une marque de fabrique ou de commerce appartenant à un sujet ou protégé Britannique, et dûment enregistrée aux Pays-Bas, serait contrefaite par un de ses ressortissants, cette infraction à la Loi Néerlandaise devra être poursuivie devant le Tribunal Consulaire compétent.

En priant votre Excellence de bien vouloir me faire savoir la suite que son Gouvernement aura donnée à cette affaire, je saisis, &c.

(Signé) Baron MELVIL DE LYNDEN.

NICARAGUA.

No. 127.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN
GREAT BRITAIN AND NICARAGUA.*Signed at Managua, July 28, 1905.***[Ratifications exchanged at London, August 24, 1906.]*

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; and

His Excellency the President of Nicaragua;

Being desirous to extend and facilitate the relations of commerce already existing between the two countries, have determined to conclude a new Treaty with this object, and have appointed as their Plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Herbert William Broadley Harrison, Esquire, Companion of the Most Distinguished Order of St. Michael and St. George, His Majesty's Chargé d'Affaires in the Republic of Nicaragua; and

His Excellency the President of the Republic of Nicaragua; Doctor Adolfo Altamirano, Minister of Foreign Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Commerce and Navigation.—National and Most-favoured-nation Treatment.

There shall be between the dominions and possessions of the two High Contracting Parties reciprocal freedom of commerce and navigation. The subjects or citizens of each of the two Parties shall have liberty freely to come with their ships and cargoes, to all places, ports, and rivers in the dominions and possessions of the other to which native subjects or citizens generally are or may be permitted to come, and shall enjoy, respectively, the same rights, privileges, liberties, favours, immunities and exemptions in matters of commerce and navigation as are or may be enjoyed by native subjects or citizens generally, without having to pay any tax or impost greater than those paid by the same, and they shall be subject to the Laws and Regulations in force.

* Signed also in Spanish.

Coasting Trade.—Most-favoured-nation Treatment.

This stipulation shall not, however, apply to the coasting trade, in respect of which the subjects or citizens of the two Parties shall enjoy the treatment of the most favoured nation.

ARTICLE II.

San Juan del Norte no longer Free Port but to be open to Trade on same footing as other Nicaraguan ports.

The free port privileges at the Port of San Juan del Norte shall be abolished, but the port shall remain open to trade, the facilities for shipping shall be maintained and improved, and sufficient bonded warehouses shall be provided.

As regards all the dues, taxes, and regulations affecting foreign trade and shipping and the system of municipal taxation, the port shall be on the same footing as the other ports of the Republic.

ARTICLE III.

Imports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties or charges shall be imposed on the importation into the dominions and possessions of His Britannic Majesty of any article the produce or manufacture of the Republic of Nicaragua, from whatever place arriving, and no other or higher duties or charges shall be imposed on the importation into Nicaragua of any article the produce or manufacture of His Britannic Majesty's dominions and possessions, from whatever place arriving, than on the like articles produced or manufactured in any other foreign country; nor shall any prohibition or restriction be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of the High Contracting Parties into the dominions and possessions of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other foreign country.

This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of securing the safety of persons or of cattle, or of plants useful to agriculture.

ARTICLE IV.

Exports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the High Contracting Parties on the exportation of any article to the dominions and possessions of the other, than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from

the dominions and possessions of either of the two High Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other foreign country.

ARTICLE V.

*Transit Duties, Warehousing, Bounties, Drawbacks, &c.—
National and Most-favoured-nation Treatment.*

The subjects or citizens of each of the High Contracting Parties shall enjoy, in the dominions and possessions of the other, perfect equality of treatment with native subjects or citizens or subjects or citizens of the most favoured nation in all that relates to exemption from transit duties, warehousing, bounties, facilities, and drawbacks.

ARTICLE VI.

Imports in Vessels of either Country.—National Treatment.

All articles which are or may be legally imported into the ports of the dominions and possessions of His Britannic Majesty in British vessels may be imported into those ports in Nicaraguan vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in British vessels; and similarly all articles which are or may be legally imported into the ports of Nicaragua in Nicaraguan vessels may be imported into those ports in British vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Nicaraguan vessels. Such equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

Exports in Vessels of either Country.—National Treatment.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties and railway charges shall be paid, and the same bounties and drawbacks allowed, in the dominions and possessions of either of the High Contracting Parties on any article intended for exportation which is or may be legally exported therefrom, whether such exportation shall take place in Nicaraguan or in British vessels, and whatever may be the place of destination, whether a port of either of the High Contracting Parties or of any third Power.

ARTICLE VII.

*Tonnage, Harbour, Pilotage, Lighthouse, Quarantine, &c., Dues.—
National Treatment.*

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or

under whatever denomination, levied in the name or for the profit of government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general. Such equality of treatment shall apply to the respective vessels, from whatever port or place they may arrive and whatever may be their place of destination.

ARTICLE VIII.

Stationing, Loading and Unloading of Vessels.—National Treatment.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the dominions and possessions of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE IX.

Vessels in Distress.—Wrecks and Salvage.—National Treatment.

Any ship of war or merchant-vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast into the sea, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Nicaraguan Consular officer in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consular officers, owners, or agents shall pay only the

expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of customs, unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground or wrecked, the respective Consular officers shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE X.

National Vessels.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to Nicaraguan law, are to be deemed Nicaraguan vessels shall, for the purposes of this Treaty, be deemed British and Nicaraguan vessels respectively.

ARTICLE XI.

Commerce and Navigation and Industry.—Most-favoured-nation Treatment,

The High Contracting Parties agree that, in all matters relating to commerce, navigation, and industry, any privilege, favour, or immunity whatever which either High Contracting Party has actually granted or may hereafter grant to any other foreign State, shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party; it being their intention that the commerce, navigation, and industry of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

ARTICLE XII.

Appointment and Privileges of Consular Officers.—Most-favoured-nation Treatment.

It shall be free to each of the High Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall enjoy all the faculties, privileges, exemptions, and immunities of every kind which are or shall be granted to Consuls of the most favoured nation.

ARTICLE XIII.

Freedom of Travel, Residence.—Hiring of Houses, Warehouses, &c.—Transaction of Business.—Employment of Agents.—Taxes, Passports, &c.—National and Most-favoured-nation Treatment.

The subjects or citizens of each of the High Contracting Parties who shall conform to the laws of the country—

1. Shall have full liberty, with their families, to enter, travel, or reside in any part of the dominions and possessions of the other High Contracting Party.

2. They shall be permitted to hire or possess the houses, manufactories, warehouses, shops, and premises which may be necessary for them.

3. They may carry on their commerce either in person or by any agents whom they may think fit to employ.

4. They shall not be subject in respect of their persons or property, or in respect of passports, or in respect of their commerce or industry, to any taxes, whether general or local, or to imposts or obligations of any kind whatever other or greater than those which are or may be imposed upon native subjects or citizens, or subjects or citizens of the most favoured nation.

ARTICLE XIV.

Exemption from Military Service, Municipal functions, Forced Loans, &c.—Duties, &c., on Property.—National and Most-favoured-nation Treatment.

The subjects or citizens of each of the High Contracting Parties in the dominions and possessions of the other shall be exempted from all compulsory military service whatever, whether in the army, navy, national guard, or militia. They shall be equally exempted from all judicial and municipal functions whatever other than those imposed by the laws relating to juries, as well as from all extraordinary war contributions, forced loans and every species of military requisitions or service. In all other cases their personal and real property cannot be subjected to other charges or imposts than those that may be or have been exacted from the subjects or citizens of the country or from subjects or citizens of the most favoured nation.

ARTICLE XV.

Acquisition and Disposal of Property.—National Treatment.

The subjects or citizens of each of the High Contracting Parties in the dominions and possessions of the other shall be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succes-

sion *ab intestato*, and in any other manner, under the same conditions as national subjects or citizens. Their heirs may succeed to and take possession of it, either in person or by procurators, in the same legal forms and in the same manner as subjects or citizens of the country.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is or shall be payable by subjects or citizens of the country. In every case the subjects or citizens of the High Contracting Parties shall be permitted to export their property, or the proceeds thereof if sold, freely and without being subjected on such exportation to pay any duty different from that to which subjects or citizens of the country are or shall be liable under similar circumstances.

ARTICLE XVI.

Inviolability of Dwellings, &c.

The dwellings, manufactories, warehouses, and shops of the subjects or citizens of each of the High Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

Domiciliary Visits, &c.—National and Most-favoured-nation Treatment.

It shall not be allowable to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws for subjects or citizens of the country, or of the most favoured nation.

Administration of Justice.—National Treatment.

The subjects or citizens of each of the two High Contracting Parties in the dominions and possessions of the other shall have free access to the Courts of Justice for the prosecution and defence of their rights, without other conditions, restrictions, or taxes beyond those imposed on native subjects or citizens; they shall enjoy the same treatment as native subjects or citizens in all that concerns deposits, sureties, and fees in legal cases, and shall, in the same manner as native subjects or citizens, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE XVII.

Trade-marks, &c.—National Treatment.

The subjects or citizens of each of the High Contracting Parties shall have in the dominions and possessions of the other, the same

rights as native subjects or citizens in regard to patents for inventions, trade-marks, and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE XVIII.

Seizure of Goods bearing False Indications of Origin.

All goods bearing marks or descriptions which state, or manifestly suggest, that the goods are the produce or manufacture of one of the Contracting States, shall, if such statement or suggestion be false, be seized on importation into either of the two States. The seizure may also be effected in the State where the false indication of origin has been applied, or in that into which the goods bearing the false indication may have been imported. The seizure shall be effected either at the request of the proper Government Department or of an interested party, whether an individual or a society, in conformity with the domestic legislation of each State, but the authorities are not bound to effect the seizure of goods in transit.

The Tribunals of each country shall decide what appellations, on account of their generic character, do not fall within the provisions of the present Article.

ARTICLE XIX.

Seamen Deserters.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the High Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XX.

Application of Treaty to Colonies.

The stipulations of the present Treaty shall not be applicable to any of His Britannic Majesty's Colonies or possessions beyond the seas unless notice to that effect shall have been given, on behalf of any such Colony or possession, by His Britannic Majesty's Representative in the Republic of Nicaragua to the Nicaraguan Minister for Foreign Affairs, within one year from the date of the exchange of the ratifications of the present Treaty.

It is understood that, under the provisions of this Article, His

Majesty's Government can, in the same manner, give notice of adhesion on behalf of any British Protectorate or sphere of influence, or on behalf of the Island of Cyprus, in virtue of the Convention of the fourth of June, eighteen hundred and seventy-eight, between Great Britain and Turkey.

ARTICLE XXI.

Duration of Treaty.

The present Treaty shall come into effect ten days after the day upon which the ratifications are exchanged, and shall remain in force for ten years after such exchange. In case neither of the High Contracting Parties shall have given notice to the other twelve months before the expiration of the said period of ten years of the intention to terminate the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the High Contracting Parties shall have given such notice.

His Britannic Majesty's Government shall also have the right to terminate separately the present Treaty at any time on giving twelve months' notice to that effect, on behalf of any British Colony, possession, or dependency, as specified in Article XX, which may have acceded thereto.

ARTICLE XXII.

Ratifications.

The present Treaty shall be ratified, and the ratifications shall be exchanged at London, within the period of one year from the date of signature.

Done in duplicate at Managua, this 28th day of July, in the year one thousand nine hundred and five.

In witness whereof the respective Plenipotentiaries have signed the present Treaty, and have affixed thereto their seals.

(L.S.) HERBERT HARRISON.
(L.S.) ADOLFO ALTAMIRANO.

PROTOCOL.

THE Undersigned, Plenipotentiaries of the High Contracting Parties of the Treaty of Friendship, Commerce, and Navigation signed between the United Kingdom of Great Britain and Ireland and the Republic of Nicaragua this day, have agreed as follows:—

I.

Exception of Central American Republics from Most-favoured-nation Treatment.

It is declared that in all cases in which the provisions of the said Treaty grant treatment of the most favoured nation, the term shall not be held to include the Central American Republics.

II.

Stipulations of Article II of Treaty as to San Juan del Norte to be permanent.

It is declared that the stipulations in Article II of the said Treaty, with respect to the port of San Juan del Norte, are permanent.

III.

Custom-house Bonds at San Juan del Norte.

The Nicaraguan Government will give Custom-house Bonds to the merchants at the port of San Juan del Norte, for a sum equal to that which they have paid as commercial tax during the last ten years. The merchants will pay Custom-house duties with these Bonds until the said Bonds are extinguished. The value of the Bonds assigned to each merchant will be the sum he has paid as commercial tax during the last ten years, and it is understood that to those who have been tax-paying merchants during a shorter time, will be assigned the sum corresponding to that time.

IV.

Countervailing Duties and Bounties.

It is understood that nothing contained in the Treaty signed this day shall be held to prevent the Government of either country from taking such steps as they may judge expedient, either by way of countervailing duties or otherwise, to neutralize the effect of bounties granted, either directly or indirectly, on the production or exportation of goods.

Signed at Managua, this 28th day of July, one thousand nine hundred and five.

HERBERT HARRISON.
ADOLFO ALTAMIRANO.

NORWAY.

No. 128.

DECLARATION FOR THE ABOLITION OF CERTAIN DUES AFFECTING BRITISH COMMERCE, IN THE PORTS OF NORWAY.

July 16, 1824.

Vessels and Cargoes.—National and Most-favoured-nation Treatment.—Harbour, Lighthouse, Pilotage, &c., Dues.—National Treatment.

LE Ministère du Roi, venant d'acquérir la certitude, qu'en vertu d'un Ordre de Conseil de Sa Majesté Britannique, émané le 23 Juin, les bâtimens marchands Norvégiens ont été mis dans les ports de la Grande Bretagne et de l'Irlande, sur un pied de réciprocité parfaite avec les nationaux, le Soussigné Secrétaire d'Etat, remplissant les fonctions de Chancelier de la Cour de Sa Majesté le Roi de Suède et de Norvège, a l'honneur de déclarer officiellement à M. le Général Bloomfield, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique, en réponse à sa note en date d'hier :—

Que les bâtimens de commerce Anglois, arrivant dans les ports du Royaume de Norvège, ou sortant des dits Ports, ainsi que leurs cargaisons, continueront comme par le passé, à jouir des avantages accordés aux nations dites privilégiées, de manière qu'ils ne sont point soumis à des droits quelconques, d'entrée ou de sortie, de ports, de fanaux ou de pilotage, &c., plus hauts ou autres que ceux payables par les nationaux ;

Que le lieu de départ ou de destination des navires, ainsi que le lieu de production ou de fabrication des marchandises (pourvu que leur importation soit permise en général) n'apporteront en Norvège aucune restriction à la susdite stipulation ;

Et que la parité existante entre les bâtimens nationaux, et les vaisseaux de commerce Anglois, s'étend en Norvège, non seulement aux droits payables à la Couronne, mais aussi à ceux appelés *économiques*, payables à des villes et des communautés.

Le Soussigné saisit cette occasion pour renouveler à M. le Général Bloomfield, l'assurance déjà donnée, que dans les ports de Norvège, il n'a point été imposé de charge nouvelle

quelconque sur le commerce Anglois, et que celui-ci a déjà joui depuis plusieurs années, sans interruption ni restriction, des avantages sus-mentionnés.

En priant M. le Général Bloomfield de vouloir bien porter le contenu de cette note à la connoissance de son Gouvernement, le Soussigné le prie en même tems d'agréer, &c.

D. DE SCHULZENHEIM.

M. LE GÉNÉRAL BLOOMFIELD, &c.

Helsingbourg, le 16 Juillet, 1824.

PARAGUAY.

No. 129.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN GREAT BRITAIN AND PARAGUAY.

*Signed at Assumption, October 16, 1884.**

[Ratifications exchanged at Buenos Ayres, May 10, 1886.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Excellency the President of the Republic of Paraguay, being desirous of maintaining and strengthening the relations of good understanding which at present subsist between them, and of promoting commercial intercourse between the dominions of Her Britannic Majesty and the territories of the Republic, have resolved to conclude a Treaty of Friendship, Commerce, and Navigation, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Edmund John Monson, Companion of the Most Honourable Order of the Bath, Her Majesty's Minister Plenipotentiary to the Republic of Paraguay ;

And his Excellency the President of the Republic of Paraguay, his Excellency Don José Segundo Decoud, Knight Grand Cross of the Order of Isabel the Catholic, his Minister Secretary of State in the Department of Foreign Affairs ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Peace and Friendship.

There shall be perfect peace and sincere friendship between the United Kingdom of Great Britain and Ireland and the Republic of Paraguay, and between the subjects and citizens of both States,

* Signed also in Spanish.

without exception of persons or of places. The High Contracting Parties shall use their best endeavours that this friendship and good understanding may be constantly and perpetually maintained.

ARTICLE II.

Commerce and Navigation.—Most-favoured-nation Treatment.

The Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which either Contracting Party has actually granted or may hereafter grant to the subjects or citizens of any other State shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

ARTICLE III.

Imports.—Most-favoured-nation Treatment.

The produce and manufactures of, as well as all goods coming from, the dominions and possessions of Her Britannic Majesty, which are imported into Paraguay, and the produce and manufactures of, as well as goods coming from Paraguay, which are imported into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, re-exportation, or transit, shall be treated in the same manner as, and, in particular, shall be subjected to no higher or other duties, whether general, municipal, or local, than the produce, manufactures, and goods of any third country the most favoured in this respect.

Exports.—Most-favoured-nation Treatment.

No other or higher duties shall be levied in Paraguay on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty, on the exportation of any goods to Paraguay than may be levied on the exportation of the like goods to any third country the most favoured in this respect.

Prohibitions of Importation, Exportation, or Transit.—Most-favoured-nation Treatment.

Neither of the Contracting Parties shall establish a prohibition of importation, exportation, or transit against the other which shall not, under like circumstances, be applicable to any third country the most favoured in this respect.

Local Dues, Customs Formalities, Brokerage, Commercial Travellers' Samples, &c.—Most-favoured-nation Treatment.

In like manner, in all that relates to local dues, customs formalities, brokerage, patterns or samples introduced by commercial travellers, and in all other matters connected with trade, British subjects in Paraguay, and Paraguayan citizens in the dominions and possessions of Her Britannic Majesty, shall enjoy most-favoured-nation treatment.

ARTICLE IV.

Vessels and Cargoes.—National Treatment.

British ships and their cargoes shall, in Paraguay, and Paraguayan vessels and their cargoes shall, in the dominions and possessions of Her Britannic Majesty, from whatever place arriving and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes.

Harbour, &c., Dues.—Pilotage.—National and Most-favoured-nation Treatment.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, pilotage, and generally to all matters connected with navigation.

Every favour or exemption in these respects, or any other privilege in matters of navigation, which either of the Contracting Parties shall grant to a third Power shall be extended immediately and unconditionally to the other Party.

National Vessels.

All vessels which according to British law are to be deemed British vessels, and all vessels which according to the law of Paraguay are to be deemed Paraguayan vessels, shall, for the purposes of this Treaty, be respectively deemed British or Paraguayan vessels.

ARTICLE V.

Trade-marks, &c.—National and Most-favoured-nation Treatment.

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as natives, or as subjects or citizens of the most favoured nation, in regard to patents or inventions trade-marks, and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE VI.

Acquisition and Disposal of Property.—Imposts, Duties, &c.—National Treatment.

The subjects or citizens of each of the Contracting Parties who reside permanently or temporarily in the dominions or possessions of the other shall be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as natives of the country. Their heirs may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as natives of the country.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by natives of the country. In every case the subjects or citizens of the Contracting Parties shall be permitted to export their property, or the proceeds thereof if sold, freely and without being subjected on such exportation to pay any duty different from that to which natives of the country are liable under similar circumstances.

ARTICLE VII.

Inviolability of Dwellings, &c.—Domiciliary Visits.—Administration of Justice.—National Treatment.

The dwellings, manufactories, warehouses, and shops of subjects or citizens of each of the Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws for natives of the country.

The subjects or citizens of each of the two Contracting Parties in the dominions and possessions of the other shall have free access to the Courts of Justice for the prosecution and defence of their rights, without other conditions, restrictions, or taxes beyond those imposed on native subjects or citizens, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE VIII.

Exemption from Military Service, Forced Loans, &c.

The subjects of each of the Contracting Parties in the dominions and possessions of the other shall be exempted from

billeting and from all compulsory military service whatever, whether in the army, navy, or national guard or militia. They shall likewise be exempted from all contributions, whether pecuniary or in kind, imposed as a compensation for billeting and for personal service, and finally from forced loans and military exactions or requisitions of any kind.

ARTICLE IX.

Protection of Persons and Property.—National Treatment.

The subjects or citizens of either of the two Contracting Parties residing in the dominions and possessions of the other shall enjoy, in regard to their houses, persons, and properties the protection of the Government in as full and ample a manner as native subjects or citizens,

Liberty of Conscience.

In like manner the subjects or citizens of each Contracting Party shall enjoy in the dominions and possessions of the other full liberty of conscience, and shall not be molested on account of their religious belief; and such of those subjects or citizens as may die in the territories of the other Party shall be buried in the public cemeteries, or in places appointed for the purpose, with suitable decorum and respect.

Freedom of Religious Worship.

The subjects of Her Britannic Majesty residing within the territories of the Republic of Paraguay shall be at liberty to exercise in private and in their own dwellings, or within the dwellings or offices of Her Britannic Majesty's Consuls or Vice-Consuls, or in any public edifice set apart for the purpose, their religious rites, services, and worship, and to assemble therein for that purpose without hindrance or molestation.

ARTICLE X.

Appointment and Privileges of Consular Officers.—Most-favoured-nation Treatment.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents to reside respectively in towns or ports in the dominions and possessions of the other Power. Such Consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are, or may hereafter be, granted there to Consular offices of the most favoured nation.

ARTICLE XI.

Intestate Estates.

In the event of any subject or citizen of either of the two Contracting Parties dying without will or testament in the dominions and possessions of the other Contracting Party, the Consul-General, Consul, or Vice-Consul of the nation to which the deceased may belong, or, in his absence, the representative of such Consular officer, shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named by the said Consul-General, Consul, or Vice-Consul, or his representative.

ARTICLE XII.

Seamen Deserters.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties residing in the dominions and possessions of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XIII.

Vessels in Distress.—Wrecks and Salvage.—National Treatment.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled, by stress of weather or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to continue their voyage, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked within the territory of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast out of the ship, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Paraguayan Consul-General, Consul, Vice-Consul, or Consular Agent in whose district

the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of customs, unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XIV.

*Rupture of Friendly Relations.—Position of Persons and Property.
—National Treatment.*

For the better security of commerce between the subjects of Her Britannic Majesty and the citizens of the Republic of Paraguay, it is agreed that if at any time any interruption of friendly intercourse, or any rupture, should unfortunately take place between the two Contracting Parties, the subjects or citizens of either of the said Contracting Parties who may be established in the dominions or territories of the other, in the exercise of any trade or special employment, shall have the privilege of remaining and continuing such trade or employment therein, without any manner of interruption, in full enjoyment of their liberty and property, so long as they behave peacefully and commit no offence against the laws; and their goods, property, and effects, of whatever description they may be, whether in their own custody or intrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like goods, property, and effects belonging to native subjects or citizens. Should they, however, prefer to leave the country, they shall be allowed to make arrangements for the safe keeping of their goods, property, and effects, or to dispose of them, and to liquidate their accounts; and a safe-conduct shall be given them to embark at the ports which they shall themselves select.

ARTICLE XV.

Application of Treaty to British Colonies, &c.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty,

so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

The Dominion of Canada.

Newfoundland.

New South Wales.

Victoria.

South Australia.

Western Australia.

Tasmania.

Queensland.

New Zealand.

The Cape.

Natal.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Paraguay to the Paraguayan Minister for Foreign Affairs within two years from the date of the exchange of the ratifications of the present Treaty.

ARTICLE XVI.

Duration of Treaty.

The present Treaty shall continue in force during ten years, counted from the day of the exchange of the ratifications; and in case neither of the two Contracting Parties shall have given notice twelve months before the expiration of the said period of ten years of their intention of terminating the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice.

ARTICLE XVII.

Ratifications.

The present Treaty shall be ratified by Her Majesty the Queen of Great Britain and Ireland and by his Excellency the President of the Republic of Paraguay, and the ratifications shall be exchanged at Assumption or at Buenos Ayres as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Assumption, on the sixteenth day of October, in the year of Our Lord one thousand eight hundred and eighty-four.

(L.S.) EDMUND MONSON.

(L.S.) JOSÉ S. DECOUD.

PROTOCOL.

Province of Matto-Grosso.—Navigation of Rivers Paraguay and Paraná.

IN proceeding to the signature this day of the Treaty of Friendship, Commerce, and Navigation between Her Britannic Majesty and the Republic of Paraguay, the undersigned Plenipotentiaries of the High Contracting Parties declare that the stipulations of Article III of the said Treaty shall not be understood to confer upon the subjects of Her Britannic Majesty the exceptional privileges of free trade reserved by Article XIII of the Treaty of the 7th June, 1883, between the Republic of Paraguay and the Emperor of Brazil in favour of the Province of Matto-Grosso. The undersigned Plenipotentiaries further declare that the stipulations of Articles II and IV of the Treaty now concluded shall be understood to open the free navigation of the Rivers Paraguay and Paraná, including the coasting-trade, to British vessels, but that the said stipulations shall not be understood to confer upon the owners of steam-ships plying between British and Paraguayan ports the right to claim any such especial privileges or subventions as either one of the High Contracting Parties shall, in the exercise of their judgment, consider it expedient to grant to other lines for specified ends and purposes.

Done in duplicate at Assumption, this sixteenth day of October, in the year of Our Lord one thousand eight hundred and eighty-four.

(L.S.) EDMUND MONSON.

(L.S.) JOSÉ S. DECOUD.

PROTOCOL.

Stipulations of Treaty of October 16, 1884, inapplicable to British India.

THE undersigned Plenipotentiaries respectively of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and of the Republic of Paraguay, having met together for the purpose of exchanging the ratifications of the Treaty of Friendship, Commerce, and Navigation between the above-named Powers, signed at Assumption on the 16th day of October, 1884, and being duly empowered by their respective Governments to make the following Declaration, hereby agree that it shall be understood that Her Majesty's Indian Empire shall not be included in the operation of the Treaty, and that all the provisions and stipulations of the Treaty shall be inapplicable to Her Majesty's Indian Empire, in the same manner and to the same extent as if the said Empire had been included in the specific list of those Colonies and foreign possessions of Her

Majesty contained in Article XV of the Treaty. And it is hereby agreed by the Undersigned that the understanding recorded in the present instrument shall have the same force, and shall be as binding upon the High Contracting Parties, as if it had been originally included in the Treaty.

In witness whereof the respective Plenipotentiaries have signed the same in duplicate, and have affixed thereto the seal of their arms.

Done at Buenos Ayres, on the tenth day of May in the year of Our Lord one thousand eight hundred and eighty-six.

(L.S.) F. J. PAKENHAM.

(L.S.) CARLOS SAGUIER.

No. 130.

AGREEMENT BETWEEN GREAT BRITAIN AND PARAGUAY RECORDING
THE ACCESSION OF CERTAIN BRITISH COLONIES TO THE
TREATY OF OCTOBER 16, 1884, WITH THE EXCEPTION OF
ARTICLE VIII.

Signed at Assumption, July 19, 1890.

WHEREAS by Article XV of the Treaty of Friendship, Commerce, and Navigation between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and his Excellency the President of the Republic of Paraguay, signed on the 16th October, 1884, the ratifications whereof were exchanged on the 10th May, 1886, provision was made for the accession to the said Treaty of certain British Colonies; and whereas the Government of Paraguay have agreed that any of the said British Colonies may accede under the condition that, notwithstanding such accession, they shall not be bound by the stipulations of Article VIII of the said Treaty, the Undersigned, his Excellency Francis John Pakenham, Her Britannic Majesty's Minister Plenipotentiary to the Republic of Paraguay, and his Excellency Juan Crisóstomo Centurion, Minister for Foreign Affairs of the Republic of Paraguay, have agreed as follows :—

The following British Colonies, that is to say :

Newfoundland,
Victoria,
Western Australia,
Tasmania,
Queensland,
Cape of Good Hope, and
Natal,

accede to the said Treaty of the 16th October, 1884, under the condition that they shall not be bound by the stipulations contained in Article VIII thereof; and the provisions of the said Treaty, with the exception of Article VIII, are hereby made applicable to the said Colonies from the date of the signature of the present Agreement.

Done in duplicate at Assumption, the nineteenth of July, one thousand eight hundred and ninety.

JUAN C. CENTURION.
F. J. PAKENHAM.

THE FOLLOWING COLONIES HAVE NOT ACCEDED TO THE TREATY:

1. South Australia.
2. New South Wales.
3. Canada.
4. New Zealand.

PERSIA.

No. 131.

TREATY OF PEACE BETWEEN GREAT BRITAIN AND PERSIA.

*Signed, at Paris, March 4, 1857.***[Ratifications exchanged at Bagdad, May 2, 1857.]*

In the Name of God the Almighty, the All-Merciful.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty, whose Standard is the Sun, the Sacred, the August, the Great Monarch, the absolute King of Kings of all the States of Persia, being both equally and sincerely animated by a desire to put a stop to the evils of a war which is contrary to their friendly wishes and dispositions, and to re-establish on a solid basis the relations of amity which had so long existed between the two exalted States, by means of a Peace calculated for their mutual advantage and benefit, have appointed as their Plenipotentiaries, for carrying into effect this desired object, the following, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry Richard Charles, Baron Cowley, a Peer of the United Kingdom, a Member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French, &c., &c., &c.;

And His Majesty the Shah of Persia, His Excellency the Abode of Greatness, the Favourite of the King, Ferokh Khan, Ameen Oolmoolk, the Great Ambassador of the Mighty State of Persia, the Possessor of the Royal Portrait, and of the Blue Cordon, the Bearer of the Diamond-studded Girdle, &c., &c., &c.;

* Signed also in Persian.

Who, having exhibited and exchanged their full powers, and found them to be in due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Peace and Friendship.

From the day of the exchange of the ratifications of the present Treaty, there shall be perpetual peace and friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and His Majesty the Shah of Persia, on the other, as likewise between their respective successors, dominions, and subjects.

ARTICLE II.

Evacuation of Persian Territory.

Peace being happily concluded between Their said Majesties, it is hereby agreed that the forces of Her Majesty the Queen shall evacuate the Persian territory, subject to conditions and stipulations hereafter specified.

ARTICLE III.

Release of Prisoners of War.

The High Contracting Parties stipulate that all prisoners taken during the war by either belligerent shall be immediately liberated.

ARTICLE IV.

Amnesty.

His Majesty the Shah of Persia engages, immediately on the exchange of the ratifications of this Treaty, to publish a full and complete amnesty, absolving all Persian subjects who may have in any way been compromised by their intercourse with the British forces during the war, from any responsibility for their conduct in that respect, so that no persons, of whatever degree, shall be exposed to vexation, persecution, or punishment on that account.

ARTICLE V.

Withdrawal of Persian Troops from Herat and Affghanistan, &c.

His Majesty the Shah of Persia engages further to take immediate measures for withdrawing from the territory and city of Herat, and from every other part of Affghanistan, the Persian

troops and authorities now stationed therein ; such withdrawal to be effected within three months from the date of the exchange of the ratifications of this Treaty.

ARTICLE VI.

Relinquishment of Persian Claims to Sovereignty over Herat and Affghanistan.

His Majesty the Shah of Persia agrees to relinquish all claims to sovereignty over the territory and city of Herat and the countries of Affghanistan, and never to demand from the Chiefs of Herat, or of the countries of Affghanistan, any marks of obedience, such as the coinage, or "khotbeh," or tribute.

Non-Interference of Persia in Affairs of Affghanistan. Recognition by Persia of Independence of Herat and Affghanistan.

His Majesty further engages to abstain hereafter from all interference with the internal affairs of Affghanistan. His Majesty promises to recognise the independence of Herat, and of the whole of Affghanistan, and never to attempt to interfere with the independence of those States.

Friendly Offices of British Government in Differences between Persia and Herat and Affghanistan.

In case of differences arising between the Government of Persia and the countries of Herat and Affghanistan, the Persian Government engages to refer them for adjustment to the friendly offices of the British Government, and not to take up arms unless those friendly offices fail of effect.

British Influence to be Used to Prevent Differences between Affghanistan and Persia.

The British Government, on their part, engage at all times to exert their influence with the States of Affghanistan, to prevent any cause of umbrage being given by them, or by any of them, to the Persian Government ; and the British Government, when appealed to by the Persian Government, in the event of difficulties arising, will use their best endeavours to compose such differences in a manner just and honourable to Persia.

ARTICLE VII.

Course to be Pursued in Event of Violation of Persian Territory by Affghans.

In case of any violation of the Persian frontier by any of the States referred to above, the Persian Government shall have the

right, if due satisfaction is not given, to undertake military operations for the repression and punishment of the aggressors; but it is distinctly understood and agreed to, that any military force of the Shah which may cross the frontier for the above-mentioned purpose, shall retire within its own territory as soon as its object is accomplished, and that the exercise of the above-mentioned right is not to be made a pretext for the permanent occupation by Persia, or for the annexation to the Persian dominions, of any town or portion of the said States.

ARTICLE VIII.

Mutual Release of Persian and Affghan Prisoners, &c.

The Persian Government engages to set at liberty without ransom, immediately after the exchange of the ratifications of this Treaty, all prisoners taken during the operations of the Persian troops in Affghanistan, and all Affghans who may be detained either as hostages or as captives on political grounds in any part of the Persian dominions shall, in like manner, be set free: provided that the Affghans, on their part, set at liberty, without ransom, the Persian prisoners and captives who are in the power of the Affghans.

Commissioners on the part of the two Contracting Powers shall, if necessary, be named to carry out the provisions of this Article.

ARTICLE IX.

Appointment of Consular Officers.—Subjects and Trade.—Most-favoured-nation Treatment.

The High Contracting Parties engage that, in the establishment and recognition of Consuls-General, Consuls, Vice-Consuls, and Consular Agents, each shall be placed in the dominions of the other on the footing of the most favoured nation; and that the treatment of their respective subjects, and their trade, shall also, in every respect, be placed on the footing of the treatment of the subjects and commerce of the most favoured nation.

ARTICLE X.

Persian Apology for Insulting Letter to British Minister.—His Reception at Tehran.

Immediately after the ratifications of this Treaty have been exchanged, the British Mission shall return to Tehran, when the Persian Government agrees to receive it with the apologies and ceremonies specified in the separate Note signed this day by the Plenipotentiaries of the High Contracting Parties.

ARTICLE XI

Claims of British Subjects against Persian Government.

The Persian Government engages, within three months after the return of the British Mission to Tehran, to appoint a Commissioner, who, in conjunction with a Commissioner to be appointed by the British Government, shall examine into and decide upon the pecuniary claims of all British subjects upon the Government of Persia, and shall pay such of those claims as may be pronounced just, either in one sum or by instalments, within a period not exceeding one year from the date of the award of the Commissioners.

Claims of Persian and other Subjects under British Protection against Persian Government.

And the same Commissioners shall examine into and decide upon the claims on the Persian Government of all Persian subjects, or the subjects of other Powers, who, up to the period of the departure of the British Mission from Tehran, were under British protection, which they have not since renounced.

ARTICLE XII.

Conditional Renunciation by British Government of Protection to Persian Subjects not Employed by British Mission or Consulates.—General Most-favoured-nation Treatment.

Saving the provisions in the latter part of the preceding Article, the British Government will renounce the right of protecting hereafter any Persian subject not actually in the employment of the British Mission, or of British Consuls-General, Consuls, Vice-Consuls, or Consular Agents, provided that no such right is accorded to, or exercised by, any other foreign powers; but in this, as in all other respects, the British Government requires, and the Persian Government engages, that the same privileges and immunities shall in Persia be conferred upon, and shall be enjoyed by, the British Government, its servants and its subjects, and that the same respect and consideration shall be shown for them, and shall be enjoyed by them, as are conferred upon and enjoyed by, and shown to, the most favoured foreign Government, its servants and its subjects.

ARTICLE XIII.

Slave Trade in Persian Gulf.—Renewal of Agreement of August, 1851.

The High Contracting Parties hereby renew the Agreement entered into by them in the month of August, 1851 (Shawal 1267),

for the suppression of the Slave Trade in the Persian Gulf, and engage further that the said Agreement shall continue in force after the date at which it expires, that is, after the month of August 1862, for the further space of ten years, and for so long afterwards as neither of the High Contracting Parties shall, by a formal declaration, annul it; such declaration not to take effect until one year after it is made.

ARTICLE XIV.

Cessation of Hostilities.—Withdrawal of British Troops from Persian Territory.—Supplies.

Immediately on the exchange of the ratifications of this Treaty, the British troops will desist from all acts of hostility against Persia; and the British Government engages, further, that, as soon as the stipulations in regard to the evacuation, by the Persian troops, of Herat and the Affghan territories, as well as in regard to the reception of the British Mission at Tehran, shall have been carried into full effect, the British troops shall, without delay, be withdrawn from all ports, places, and islands belonging to Persia; but the British Government engages that, during this interval, nothing shall be designedly done by the Commander of the British troops to weaken the allegiance of the Persian subjects towards the Shah, which allegiance it is, on the contrary, their earnest desire to confirm; and further, the British Government engages that, as far as possible, the subjects of Persia shall be secured against inconvenience from the presence of the British troops, and that all supplies which may be required for the use of those troops, and which the Persian Government engages to direct its authorities to assist them in procuring, shall be paid for, at the fair market-price, by the British Commissariat, immediately on delivery.

ARTICLE XV.

Ratifications.

The present Treaty shall be ratified, and the ratifications exchanged at Bagdad in the space of three months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Paris, in quadruplicate, this fourth day of the month of March, in the year of Our Lord one thousand eight hundred and fifty-seven.

(Signed) COWLEY.
FEROKH (*in Persian*).

SEPARATE NOTE REFERRED TO IN ARTICLE X OF THE FOREGOING
TREATY.*

March 4, 1857.

*Ceremonial to be observed on Re-establishment of Diplomatic and
Friendly Relations.*

THE Undersigned, Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary to the Emperor of the French, and His Persian Majesty's Ambassador Extraordinary and Plenipotentiary to his said Imperial Majesty, being duly authorised by their respective Governments, hereby agree that the following ceremonial shall take place for the re-establishment of diplomatic and friendly relations between the Courts of Great Britain and Persia. This agreement to have the same force and value as if inserted in the Treaty of Peace concluded this day between the Undersigned :—

The Sadr Azim shall write, in the Shah's name, a letter to Mr. Murray, expressing his regret at having uttered and given currency to the offensive imputations upon the honour of Her Majesty's Minister, requesting to withdraw his own letter of the 19th of November, and the two letters of the Minister for Foreign Affairs of the 26th of November, one of which contains a rescript from the Shah, respecting the imputation upon Mr. Murray, and declaring, in the same letter, that no such further rescript from the Shah as that inclosed herewith in copy was communicated, directly or indirectly, to any of the Foreign Missions at Tehran.

A copy of this letter shall be communicated, officially, by the Sadr Azim to each of the foreign Missions at Tehran, and the substance of it shall be made public in that capital.

The original letter shall be conveyed to Mr. Murray, at Bagdad, by the hands of some high Persian Officer, and shall be accompanied by an invitation to Mr. Murray, in the Shah's name, to return with the Mission to Tehran, on His Majesty's assurance that he will be received with all the honours and consideration due to the Representative of the British Government; another person of suitable rank being sent to conduct him, as Mehmandar, on his journey through Persia.

Mr. Murray, on approaching the capital, shall be received by persons of high rank deputed to escort him to his residence in the town. Immediately on his arrival there, the Sadr Azim shall go in state to the British Mission, and renew friendly relations with Mr. Murray, leaving the Secretary of State for Foreign

* Signed also in Persian.

Affairs to accompany him to the Royal Palace, the Sadr Azim receiving Mr. Murray, and conducting him to the presence of the Shah.

The Sadr Azim shall visit the Mission at noon on the following day, which visit Mr. Murray will return, at latest, on the following day, before noon.

Done at Paris, this fourth day of the month of March, in the year one thousand eight hundred and fifty-seven.

(Signed) COWLEY.
FEROKH (*in Persian*).

Annex to the preceding Note.

The Shah to the Sadr Azim.

(Translation.) December, 1855.

LAST night we read the paper written by the English Minister Plenipotentiary, and were much surprised at the rude, unmeaning, disgusting, and insolent tone and purport. The letter which he before wrote was also impertinent. We have also heard that, in his own house, he is constantly speaking disrespectfully of us and of you, but we never believed; now, however, he has introduced it in an official letter. We are, therefore, convinced that this man, Mr. Murray, is stupid, ignorant, and insane, who has the audacity and impudence to insult even Kings! From the time of Shah Sultan Hossein (when Persia was in its most disorganised state, and during the last fourteen years of his life, when by serious illness he was incapacitated for business) up to the present time, no disrespect towards the Sovereign has been tolerated, either from the Government or its Agent. What has happened now, that this foolish Minister Plenipotentiary acts with such temerity? It appears that our friendly Missions are not acquainted with the wording of that document; give it now to Meerza Abbas and Meerza Malcum that they may take and duly explain it to the French Minister and Hyder Effendi, that they may see how improperly he has written. Since last night till now our time has been passed in vexation. We now command you, in order that that you may yourself know, and also acquaint the Missions, that until the Queen of England herself makes us a suitable apology for the insolence of her Envoy, we will never receive back this her foolish Minister, who is a simpleton, nor accept from her Government any other Minister.

No. 132.

COMMERCIAL CONVENTION BETWEEN GREAT BRITAIN AND PERSIA.

Signed at Tehran, February 9, 1903.

[Ratifications exchanged at Tehran, May 27, 1903.]

SA Majesté le Roi de Grande-Bretagne et d'Irlande, Empereur des Indes, et Sa Majesté le Schah de Perse, animés du même désir de consolider les rapports commerciaux entre les deux pays amis, ont jugé opportun de modifier et de compléter les dispositions établies par le deuxième alinéa de l'Article IX du Traité Anglo-Persan de Paris du 4 Mars, 1857, et ont nommé à cet effet pour leurs Plénipotentiaires, savoir :

Sa Majesté le Roi de Grande-Bretagne et d'Irlande, Empereur des Indes, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Cour de Perse, Sir Arthur Hardinge, Chevalier de l'Ordre de Saint-Michael et de Saint-George ; et

Sa Majesté le Schah de Perse, son Premier Ministre, l'Atta Bek Azam Ali Asghar Khan Amin-es-Sultan ; et le Sieur Joseph Naus, Ministre d'État, Administrateur-Général des Douanes et des Postes ;

Lesquels, dûment autorisés à cet effet, sont convenus de ce qui suit :—

ARTICLE I.

British Goods imported into Persia and Persian Goods exported by British Subjects shall be subject to Annexed Tariffs.

Les marchandises d'origine Britannique importées en Perse par les sujets Britanniques, et pareillement les productions de la Perse exportées par les sujets Britanniques, seront soumises aux droits de douane fixés par les Tarifs détaillés (A) et (C) annexés à la présente Déclaration.

ARTICLE II.

British Goods on entering Persia shall pay Customs Duty according to Tariff (A) once, and then shall be subject to no other Charge except those mentioned in Article V.

Les marchandises d'origine Britannique importées en Perse (voir Article I) seront soumises au paiement des droits de

douane conformément au Tarif (A), une fois pour toutes, à leur entrée en Perse, et ne seront assujetties ensuite au paiement d'aucun autre droit de douane ou d'autres charges, sauf celles prévues par l'Article V de la présente Déclaration.

Subjects.—Imports.—Most-favoured-nation Treatment.—

Il est formellement stipulé que les sujets et les importations Britanniques en Perse, ainsi que les sujets Persans et les importations Persanes dans l'Empire Britannique, continueront à jouir sous tous les rapports du régime de la nation la plus favorisée ; il est entendu qu'une Colonie Britannique ayant un régime douanier spécial, qui cesserait d'accorder aux importations Persanes le traitement de la nation la plus favorisée, n'aurait plus le droit de réclamer le même traitement pour ses propres importations en Perse.

Exports.—Most-favoured-nation Treatment.

Les produits Persans exportés en destination du Royaume-Uni payeront les droits de douane à leur entrée dans ce Royaume conformément au Tarif Général en vigueur, sous la réserve que ces importations bénéficieront toujours du traitement de la nation la plus favorisée. Dans le cas où le Royaume-Uni viendrait à établir dans son Tarif Général, sans un accord préalable avec la Perse, sur les produits Persans énumérés dans le Tarif (B) applicable aux importations Persanes en Russie (et annexé *ad memorandum* à la présente Déclaration), des droits autres que ceux qui existent actuellement dans le Tarif Général précité, et supérieurs aux droits inscrits dans le dit Tarif (B), la Perse aurait la faculté d'imposer à son tour des droits proportionnels aux provenances de même espèce du Royaume-Uni. Une Convention spéciale serait négociée dans ce but ; à défaut d'entente, la présente Déclaration deviendrait nulle, et les deux Parties se trouveraient de nouveau sous le régime antérieur consacré par l'Article IX du Traité de Paris.

Les Règlements édictés ou à édicter pour les produits prohibés à l'importation dans le Royaume-Uni, et aussi pour les droits de sortie du Royaume-Uni, seront applicables au trafic Persan en ce Royaume.

ARTICLE III.

Abolition of Export Duties in Persia except those in Tariff (C).

Le droit de sortie de 5 pour cent existant jusqu'à présent en Perse sur les marchandises et produits exportés est totalement aboli, à l'exception des droits de sortie établis par le Tarif (C) sur les produits y dénommés.

Les marchandises Britanniques et Persanes pourront, aux conditions du présent Arrangement, être librement exportées de l'un

dans l'autre des deux États, sous la réserve, bien entendu, des interdictions ou prohibitions déjà établies ou à établir par chacune des deux Hautes Parties Contractantes, soit dans un intérêt de sécurité ou de préservation sociale, soit pour empêcher éventuellement l'exportation de produits du sol qu'il serait momentanément nécessaire de réserver afin d'assurer l'alimentation publique.

ARTICLE IV.

Road Tolls.

Le Gouvernement Persan prend l'engagement de supprimer toutes les taxes de rahdari perçues actuellement pour l'entretien des routes de caravane, et de ne pas permettre l'établissement d'autres taxes de routes ou de barrière ailleurs que sur les voies carrossables, comportant des travaux d'art dont la Concession a déjà été accordée ou serait accordée par Firmans spéciaux. Les taux des taxes à percevoir dans ce cas par le concessionnaire seraient fixés par le Gouvernement Persan, qui en donnera connaissance à la Légation de Sa Majesté Britannique, ces taxes ne devant pas dépasser par farsakh celles de la route Resht-Téhéran; la perception ne pourrait commencer qu'après l'achèvement de la route ou du moins de ses principaux tronçons entre des localités importantes, et ne dépassant en aucun cas pour les marchandises Britanniques les taux prélevés des marchandises d'une autre provenance.

ARTICLE V.

Customs Formalities.—Most-favoured-nation Treatment.

Le système de fermage pour la perception des droits de douane en Perse devant être aboli à jamais sera remplacé à toutes les frontières du Royaume par l'institution de bureaux de douane gouvernementale, organisés et administrés de manière à assurer aux commerçants l'égalité des perceptions et un bon traitement de leurs marchandises.

Le Gouvernement Persan prendra toutes les mesures nécessaires pour assurer d'une manière générale la sécurité des marchandises durant leur séjour dans les bureaux de la douane, et il assume la responsabilité directe de l'intégrité et de la bonne conservation des marchandises qui seront déposées dans les magasins des bureaux de la douane. En conséquence, le Gouvernement Persan s'engage à faire construire aussitôt que possible, et en tout cas pas plus tard que cela est indiqué ci-dessous dans la clause (a) de cet Article, dans les bureaux désignés à cet effet par un Règlement prévu ci-après, des magasins dûment clôturés et assez vastes pour y assurer l'emmagasinage des quantités de marchandises habituellement importées; dans tous les autres bureaux il devra être établi des installations convenables en rapport avec les besoins du trafic

de passage. Les commerçants Britanniques jouiront, dans les conditions fixées par le même Règlement, du droit d'entrepôt pendant douze mois à dater du jour de l'arrivée des marchandises, sans payer aucuns droits ni taxes pour la mise en entrepôt.

Un Règlement Général arrêté par l'Administration des Douanes et pour lequel il sera établi en accord avec la Légation d'Angleterre à Téhéran, fixera le plus tôt possible après la mise en vigueur de la présente Convention :

(a.) La classification des bureaux de douane et leurs attributions, les points des frontières de terre et de mer, et les chemins ouverts pour l'importation et l'exportation des marchandises, ainsi que l'organisation des magasins des bureaux de la douane et la fixation des termes indiquant l'inauguration des opérations de ces bureaux et magasins ;

(b.) Les formalités à observer par le commerce pour l'importation et l'exportation des marchandises ;

(c.) Le régime de l'entrepôt applicable aux marchandises Britanniques pendant douze mois à partir de leur arrivée dans un des bureaux ouverts à ce trafic ;

(d.) Les paiements à imposer au commerce, pour le séjour des marchandises dans les magasins de la Douane, ou pour tous autres services rendus par la Douane aux commerçants ;

(e.) La procédure douanière concernant la vérification des marchandises frappées de droits spécifiques et l'évaluation de celles imposées *ad valorem*, ainsi que les amendes applicables au cas de fraude ou de violation des formalités et règles établies.

Pour ce qui concerne la procédure douanière applicable aux marchandises à l'entrée ou à la sortie du Royaume-Uni, les sujets Persans seront soumis aux lois édictées ou à édicter dans le dit Royaume sans que les dispositions de celles-ci puissent de quelque manière que ce soit consacrer, à l'égard du commerce des sujets Persans, des dispositions moins favorables que celles qui sont applicables aux commerçants des pays jouissant du traitement de la nation la plus favorisée.

ARTICLE VI.

Payment of Duties.—Rate of Exchange.

L'acquiescement des droits d'entrée dans le Royaume-Uni sera effectué en monnaies y admises pour le paiement des taxes douanières.

Pour l'application des Tarifs (A) et (C), le batman Persan dit de Tauris sera calculé à 640 miscals Persans équivalent à 2.97 kilogrammes Français ; et les 100 krans Persans seront calculés à l'équivalent en monnaie Anglaise de 48 francs Français en monnaie d'or.

Dans le cas où le change du kran par rapport au franc viendrait à baisser de plus de 10 pour cent et se maintiendrait tel plus d'un mois, le Gouvernement Persan aurait la faculté, après la constatation du fait par les principales banques et notification préalable à

la Légation de Sa Majesté Britannique, de hausser proportionnellement les taux des droits spécifiques inscrits dans les Tarifs (A) et (C). La notification relativement à l'élévation des droits devra être faite par le Gouvernement Persan à la Légation d'Angleterre à Téhéran au moins deux semaines avant que cette élévation soit appliquée.

Pour le cas d'une hausse dans le cours du kran dépassant 10 pour cent, et se maintenant tel durant plus d'un mois, le Gouvernement Britannique aura le droit de demander l'abaissement proportionnel des Tarifs (A) et (C), et le Gouvernement Persan serait tenu d'accorder le dit abaissement.

ARTICLE VII.

Application of Convention and Tariffs to all Persian Frontiers.

Le Gouvernement Persan s'engage à appliquer à toutes les frontières du Royaume les dispositions de la présente Convention, ainsi que les Tarifs (A) et (C), avec les modifications prévues par l'Article VI.

Ratifications.

La présente Déclaration, dont, en cas de contestation, le texte Français prévaudra, sera ratifiée, et les ratifications en seront échangées à Téhéran; elle sera promulguée par les deux Hauts Gouvernements et entrera en vigueur à la date qui sera fixée d'un commun accord.

Fait en double, en Français et en Persan, le 9 Février, 1903.

(L.S.) ARTHUR H. HARDINGE.
(L.S.) J. NAUS.

The seal and signature of the Atta Bek Azam were affixed to the Persian text.

Annexe.

Tarifs Douaniers (A, B, et C)—Annexe à la Déclaration échangée entre le Gouvernement de Sa Majesté Britannique et le Gouvernement de Sa Majesté le Schah-in-Schah de Perse, le 9 Février, 1903.

TARIF (A).—Importations en Perse de Marchandises de Provenance Britannique.

No.	Désignation des Marchandises.		Droits.
1	Allumettes	Le batman brut	T. Kr. Ch. 0 0 8
2	Animaux vivants de toute espèce ...	...	Exempts
3	Armes de toute espèce, y compris les pièces détachées ou non assemblées ... ..	...	Prohibées
	<i>Remarque.</i> —Les importations autorisées en vertu d'une dispense spéciale du Gouvernement, conformément à la Loi du 5 Ramazan, 1317, seront soumises à une taxe spéciale de 20 tomans par fusil, de 5 tomans par revolver, de 2 tomans par pistolet, et de 7 tomans par batman pour toutes autres armes, ainsi que pour toutes pièces détachées ou non assemblées.		
4	Bois— 1. Bois de construction et d'ébénisterie, de toute espèce, en grume ou sciés ... 2. Bois ouvrés, autres que les véhicules, les meubles et les articles de fantaisie, y compris les articles de charpenterie, d'ébénisterie, et de tonnellerie ... 3. Bois non dénominés, y compris le bois de chauffage ... ..	... Le batman	Exempts 0 0 2 Exempts
5	Boissons— 1. Vins mousseux en bouteilles (la bouteille de 80 centilitres ou moins) ...	... ..	0 5 0
	<i>Remarque.</i> —Les demi-bouteilles de 40 centilitres ou moins acquittent la moitié des droits stipulés. Les bouteilles d'une contenance supérieure à 80 centilitres acquittent les droits proportionnellement à leur contenance réelle.		

No.	Désignation des Marchandises.		Droits.		
	Boissons— <i>suite</i> —		T.	Kr.	Ch.
	2. Vins non mousseux en cercles, en dames-jeannes, en coupes ou en bouteilles... ..	Le batman brut	0	4	0
	3. Alcools et esprits de vin; eaux-de-vie non dénommées, y compris les mêmes eaux-de-vie simplement sucrées, ainsi que celles préparées au moyen de fruits infusés, en cercles ou en bouteilles... ..	Le batman brut	0	4	0
	4. Le cognac, le rhum, le whisky, le Schiedam, l'arac, le tafia, le vermouth, le gin, le Kirsch, l'eau-de-vie de Dantzic, le kummel, et les liqueurs de toute espèce, telles que la chartreuse, la bénédictine, l'alkermès, le marasquin, le curaçao, le punch, l'absinthe, les crèmes, les anisettes, &c., &c., en cercles ou en bouteilles....	Le batman brut	1	2	0
	5. Bières, vinaigres, et toutes autres boissons fermentées, en cercles ou en bouteilles... ..	Le batman brut	0	0	6
	6. Limonades... ..	Le batman brut	0	0	10
	<i>Remarque.</i> —Les limonades qui renferment plus de 5 pour cent d'alcool pur rentrent dans la catégorie des "Eaux-de-vie non dénommées."				
	7. Eaux minérales naturelles ou artificielles... ..	Les 10 bouteilles	0	0	10
6	Bougies, cierges, et chandelles, y compris les pelotes, les torches, et les mèches... ..	Le batman brut	0	0	8
7	Charbon de terre et coke; charbon de bois... ..	...	Exempts		
8	Cire brute... ..	Le batman	0	0	10
9	Denrées et conserves alimentaires—				
	1. Beurres et autres graisses comestibles—				
	(a.) Frais ou salés... ..	...	Exempts		
	(b.) Conservés en boîtes de fer-blanc... ..	Le batman brut	0	0	8
	2. Cacao de toute espèce, préparé ou non, y compris les déchets et pellicules et le chocolat... ..	Le batman brut	0	5	0
	3. Café, y compris les coques, déchets, et pellicules et les succédanés du café—				
	(a.) Non torréfiés... ..	Le batman	0	5	0
	(b.) Torréfiés... ..	Le batman	0	6	0
	<i>Remarque.</i> —Le café importé en petits paquets ou en boîtes en carton, en fer-blanc, ou autres récipients analogues acquitte les droits d'après le poids brut.				

No.	Désignation des Marchandises.		Droits.
			T. Kr. Ch.
	Denrées et conserves alimentaires— <i>suite</i> —		
4.	Céréales alimentaires et leur dérivés—		
(a.)	Riz	Le batman	0 0 2
(b.)	Froment, orge, avoine, et autres céréales alimentaires non dénommées	...	Exempts
(c.)	Malt ... ..	...	Exempt
(d.)	Amidon et autres féculs non ali- mentaires... ..	Le batman	0 1 0
	<i>Remarque.</i> —Les amidons et autres féculs non alimentaires importés en petits paquets, en boîtes en carton ou en fer-blanc, ou autres récipients ana- logues acquittent les droits d'après le poids brut.		
(e.)	Farines comestibles, y compris l'orge perlé et les gruaux de toute espèce ... ..	...	Exempts
(f.)	Macaroni, vermicelle, et autres pâtes alimentaires	Le batman	0 1 0
(g.)	Biscuits, pain d'épice et pâtisseries de toute espèce	Le batman brut	0 1 0
5.	Chicorée séchée, torréfiée, ou moulue ...	Le batman	0 0 4
	<i>Remarque.</i> —La chicorée importée en petits paquets, en boîtes en carton ou en fer-blanc, ou autres récipients ana- logues acquitte les droits d'après le poids brut.		
6.	Fromages—		
(a.)	Communs, mous, et blancs, confec- tionnés exclusivement au moyen de lait écrémé ... ..	...	Exempts
(b.)	Autres de toute espèce	Le batman	0 3 0
	<i>Remarque.</i> —Les fromages importés dans des enveloppes de plomb ou de fer-blanc acquittent les droits avec le poids de ces enveloppes.		
7.	Fruits et baies—		
(a.)	Frais ou secs, de toute espèce, autres qu'en conserves, ainsi que les amandes, noix, et noisettes	Le batman	0 0 5
(b.)	Conservés, y compris les confitures, gelées, pâtés de fruits, pastilles, marmelades, fruits confits, les jus et sirops de fruits, en boîtes, pots, flacons, et autres récipients analogues ...	Le batman brut	0 1 0
	<i>Remarque.</i> —Les jus et sirops de fruits qui renferment plus de 5 pour cent d'alcool pur rentrent dans la catégorie des "Eaux-de-vie non dénommées."		

No.	Désignation des Marchandises.		Droits.		
	Denrées et conserves alimentaires— <i>suite</i> —		T.	Kr.	Ch.
8.	Huiles végétales—				
(a.)	D'olives	Le batman brut	0	2	0
(b.)	Autres non spécialement dénommées	Le batman brut	0	0	4
9.	Lait—				
(a.)	Frais ... ..	...	Exempt		
(b.)	Conservé en boîtes de fer-blanc, flacons, et autres récipients analogues, hermétiquement fermés ...	Le batman brut	0	1	0
10.	Légumes de toute espèce—				
(a.)	Frais ou secs ... ..	...	Exempts		
(b.)	Conservés en boîtes, pots, flacons, ou autres récipients analogues ...	Le batman brut	0	1	10
11.	Miel ... ..	...	Exempt		
12.	Œufs de volailles ... ..	...	Exempts		
13.	Poissons—				
(a.)	Frais, secs, salés, ou fumés ...	...	Exempts		
(b.)	Conservés, y compris le caviar, en boîtes de fer-blanc, pots, flacons, ou autres récipients analogues ...	Le batman brut	0	1	10
14.	Sel	Les 10 batmans	0	0	2
15.	Sucres—				
(a.)	En pains ou candis	Le batman	0	0	3
	<i>Remarque.</i> —Les sucres en pains acquittent les droits avec le poids des papiers et cordes qui leur servent d'emballage immédiat.				
(b.)	En poudre, y compris les cassonades et les sirops	Le batman	0	0	2
(c.)	Sucreries, telles que dragées, caramels, bonbons, &c.	Le batman	0	1	0
	<i>Remarque.</i> —Les suceries importées en flacons, en pots, en boîtes de carton ou de fer-blanc, ou autres récipients analogues, ou qui sont revêtus d'emballages spéciaux en plomb, en papier, &c., acquittent les droits d'après le poids brut.				
16.	Thés—				
(a.)	Thé blanc	Le batman	1	8	0
(b.)	Tous autres thés... ..	Le batman	1	2	0
	<i>Remarque.</i> —Les thés importés en petits paquets ou en boîtes de carton, de fer-blanc, ou autres récipients analogues acquittent les droits d'après le poids brut. Le Gouvernement Persan est autorisé à abaisser ces droits jusqu'à six krans par batman.				
17.	Viandes—				
(a.)	Fraîches ... ..	...	Exempts		
(b.)	Salées, séchées, ou fumées ...	Le batman	0	1	4
	<i>Remarque.</i> —Les viandes salées, séchées, ou fumées, importées dans des enveloppes de métal, acquittent les droits avec le poids de ces enveloppes.				

No.	Désignation des Marchandises.		Droits.
	Dentrées et conserves alimentaires -- suite --		T. Kr. Ch.
	17. Viandes -- suite --		
	(c.) Conservées, y compris les extraits de viande, en boîtes de fer-blanc, pots, flacons, ou autres récipients analogues... ..	Le batman brut	0 1 10
10	Drogueries	Valeur	5 pour cent
	Cet article comprend notamment les parties de végétaux employées en médecine qui ne sont pas soumises à un régime spécial, les extraits médicinaux et les essences ou huiles médicinales, les baumes, opiat, emplâtres, onguents, cérats, pilules, et pommades pharmaceutiques, les eaux distillées de plantes ne contenant pas d'alcool, et d'une manière générale tous les produits pharmaceutiques préparés sans sucre ni alcool.		
	<i>Remarque.</i> —Les bonbons pharmaceutiques préparés au sucre suivent le régime des "Sucreries" et les produits préparés avec de l'alcool celui des "Liqueurs de toute espèce."		
11	Échantillons commerciaux sans valeur intrinsèque, y compris les échantillons de tissus de 30 centimètres ou moins de longueur sur toute la largeur du tissu et les échantillons sur cartes ou carnets, de même que les catalogues illustrés ...	...	Exempts
12	Épicerie --		
	1. Poivre, curry, piment, moutarde, cannelé, noix de muscade et clous de girofle	Le batman	0 1 10
	2. Vanille et safran, y compris la vanilline	Le batman	3 0 0
	3. Truffes	Le batman	1 0 0
	4. Épicerie non dénommées	Valeur	15 pour cent
	<i>Remarque.</i> —Les épicerie de toute espèce importées dans des enveloppes de plomb, en boîtes, pots, flacons, ou autres récipients analogues acquittent les droits d'après le poids brut.		
13	Gommes --		
	1. Caoutchouc et ses applications --		
	(a.) Caoutchouc brut	Le batman	0 0 8
	(b.) Caoutchouc préparé en plaques, feuilles, ou fils	Le batman	0 3 0
	(c.) Galoches et autres chaussures en caoutchouc	Les douze paires	0 6 0
	(d.) Toiles cirées de toute espèce	Le batman	0 2 0
	(e.) Tous autres ouvrages en caoutchouc à l'exception des objets d'habillement spécialement dénommés, des jouets et des articles de fantaisie	Le batman	1 0 0
	2. Toutes autres gommes ... ..	...	Exempts

No.	Désignation des Marchandises.		Droits.
14	Habillements—		T. Kr. Ch.
	1. Habillements de corps et lingerie de corps, de toute espèce, dont le tissu constitue la partie principale, simplement cousus, sans ornements ou broderies ni garnitures, à l'exception des écharpes, châles, voiles et voilettes et des autres objets qui sont mentionnés dans les différents paragraphes de l'Article 20	...	Droit du tissu le plus imposé entrant dans la composition des objets augmenté de 50 pour cent
	2. Tous autres objets servant à l'habillement et qui ne sont pas dénommés dans une autre rubrique du Tarif ...	Valeur	15 pour cent
	Cet article comprend notamment :— Les articles en bonneterie garnis de dentelles, de franges, de rubans, ou ayant reçu un complément de main d'œuvre après la fabrication du tissu ; les boas, manchons, et palatines ; les bretelles et jarretières ; les ceintures ; les chapeaux, casquettes, et bonnets de toute espèce ; les chaussures autres qu'en cuir et en caoutchouc ; les corsets et brassières ; les cravates et fichus confectionnés ; les écharpes, châles, voiles, et voilettes confectionnés s'ils sont garnis de broderies, de dentelles ou autres ornements, à l'exception des objets mentionnés à l'Article 20 ; les faux-cols, manchettes, et plastrons ; les gants de toute espèce ; les guêtres et jambières autres qu'en cuir ; les mouchoirs garnis de dentelles ; les panaches, aigrettes, plumes, et plumets et les peaux d'oiseaux préparées pour la parure ; les sous-bras, &c., &c., et en général tous les habillements de corps et lingerie de corps avec dentelles, broderies, ou autres garnitures.		
	3. Parapluies et parasols ...	Valeur	5 pour cent
15	Huiles autres que végétales—		
	1. Huiles de naphte, purifiées ou non, en vrac ...	Les 10 batmans	0 0 3
	2. Les mêmes en fûts, bidons, ou autres emballages analogues ...	Les 10 batmans	0 0 5
	3. Non spécialement dénommées ...	Le batman brut	0 0 4
16	Instruments de musique—		
	1. Pianos droits et harmoniums autres que les harmoniums-flutes ...	La pièce	40 0 0
	2. Pianos à queue ...	La pièce	80 0 0
	3. Tous autres instruments de musique ...	Valeur	20 pour cent
17	Instruments scientifiques, de physique, de mathématique et d'optique ...	Valeur	10 pour cent

No.	Désignation des Marchandises.		Droits.
18	Matières animales brutes non dénommées, y compris la colle-forte, les plumes et le duvet non préparés, les œufs de vers à soie et les engrais animaux		T. Kr. Ch. Exempts
19	Matières minérales— A. Métaux— 1. Fer et ses applications— (a.) Minerais de fer (b.) Fer, acier, fonte de fer et d'acier, en lingots ; vieux fer et mitraille de fer (c.) Fer et acier en barres, plaques, feuilles, ou fils (d.) Fer-blanc en feuilles (e.) Ouvrages en fonte de fer, en fer, ou en acier ... ..	... Les 10 batmans Les 10 batmans Les 10 batmans Le batman	Exempts 0 1 0 0 1 5 0 5 0 0 0 7
	<p>Cette rubrique comprend les machines et les outils de toute espèce, ainsi que la serrurerie, la clouterie, les vis, les cuillers et fourchettes en fer et les couteaux dits de paysan, de table ou de cuisine avec manches en fer, en os, en bois commun ou en autres matières ordinaires, les canifs et les ciseaux, à l'exclusion des articles de fantaisie.</p> <p><i>Remarque.</i> — Les articles émaillés, nickelés, ou recouverts d'un autre métal non précieux, ainsi que les couteaux, fourchettes, et canifs, à manches de nacre, d'ivoire, d'écaille, de corne de cerf ou d'ébène, acquittent un droit supplémentaire de 30 pour cent du droit principal.</p> <p>2. Étain, plomb, et zinc, et leurs applications— (a.) Minerais d'étain, de plomb, et de zinc (b.) Étain, plomb et zinc, en lingots, plaques, feuilles, ou fils (c.) Ouvrages en étain, en plomb, et en zinc, à l'exclusion des articles de fantaisie</p> <p><i>Remarque 1.</i>—Les feuilles d'étain ou de plomb très minces et destinées à recouvrir d'autres marchandises, telles que pralines, chocolats, fromages, &c., sont considérées comme "Ouvrages."</p> <p><i>Remarque 2.</i>—Les articles émaillés, nickelés, ou recouverts d'un autre métal non précieux acquittent un droit supplémentaire de 30 pour cent du droit principal.</p>		
		... Les 10 batmans Le batman	Exempts 0 6 0 0 1 0

No.	Désignation des Marchandises.		Droits.
	Matières minérales— <i>suite</i> —		T. Kr. Ch.
	A. Métaux— <i>suite</i> —		
	3. Cuivre et nickel et leurs applications—		
	(a.) Minerais de cuivre et de nickel ...	...	Exempts
	(b.) Cuivre, nickel, et leurs alliages, en barres, plaques, feuilles, ou fils ...	Les 10 batmans	0 6 0
	(c.) Monnaies en cuivre ou en nickel ...	...	Prohibées
	(d.) Ouvrages en nickel ou en alliage de nickel, à l'exclusion des articles de fantaisie	Le batman	0 2 0
	<i>Remarques.</i> — Les articles émaillés ou recouverts d'un autre métal non précieux acquittent un droit supplémentaire de 30 pour cent du droit principal et ceux recouverts de métal précieux de 60 pour cent du droit principal.		
	(e.) Ouvrages en cuivre ou en alliage de cuivre, y compris les machines et mécaniques et outils, le cuivre préparé dit "oripeau," les poudres à bronzer, à dorer, et autres articles analogues, à l'exclusion des articles de fantaisie	Le batman	0 1 0
	<i>Remarque 1.</i> —Les poudres à bronzer, à dorer, et autres articles analogues importés en tubes de verre, flacons, boîtes, pots, et autres récipients de même nature acquittent les droits d'après le poids brut.		
	<i>Remarque 2.</i> —Les oripeaux en livrets acquittent les droits d'après le poids cumulé des feuilles et du livret.		
	<i>Remarque 3.</i> —Les articles émaillés, nickelés ou recouverts d'un autre métal non précieux acquittent un droit supplémentaire de 30 pour cent du droit principal et ceux recouverts de métal précieux de 60 pour cent du droit principal.		
	4. Or, argent, et platine, et leurs applications—		
	(a.) Minerais d'or, d'argent, ou de platine ... ..	...	Exempts
	(b.) Or, argent, et platine, en lingots ...	Valeur	5 pour cent
	(c.) Ouvrages en argent fin ou en argent fin doré, y compris l'argent fin en feuilles, en poudre, en fils, à l'exception du fil dit "Cannetille," qui fait l'objet de la sec. 22 de l'Article 20	Valeur	5 pour cent
	(d.) Ouvrages en or fin ou en platine	Valeur	10 pour cent

No.	Désignation des Marchandises.		Droits.
	Matières minérales— <i>suite</i> —		T. Kr. Ch.
	A. Métaux— <i>suite</i> —		
	5. Métaux non dénommés et leurs appli- cations—		
	(a.) Minerais non dénommés ...	...	Exempts
	(b.) Aluminium et autres métaux non dénommes, en barres, plaques, feuilles, et fils ...	Les 10 batmans	0 8 0
	(c.) Ouvrages en aluminium ou en autres métaux non dénommés, y compris les machines et mécaniques et les outils, à l'exclusion des articles de fantaisie ...	Le batman	0 5 0
	<i>Remarque.</i> —Les articles émaillés, nickelés, ou recouverts d'un autre métal non précieux acquittent un droit supplémentaire de 30 pour cent du droit principal et ceux recouverts de métal précieux de 60 pour cent du droit principal.		
	B. Pierres et leurs applications—		
	1. Pierres brutes ...	...	Exempts
	2. Pierres ouvrées, polies, ou sculptées, y compris les ouvrages en gypse, à l'exclusion des statues, statuettes, bustes, vases, et autres objets ser- vant à l'ameublement ou à la décora- tion des lieux habités ...	Les 10 batmans	0 2 5
	3. Pierres précieuses brutes ou taillées, montées ou non montées, y compris les perles fines ...	Valeur	25 pour cent
	C. Matières minérales non spécialement dénommes, y compris le ciment, la chaux, le gypse, la terre glaise et la terre plastique ...	...	Exempts
	20. Matières textiles et leurs applications—		
	1. Coton brut ...	...	Exempt
	2. Fils de coton de toute espèce, tors ou non tors, écrus, blanchis ou teints, y compris les fils préparés pour la couture	Le batman	0 1 0
	<i>Remarque.</i> —Les fils sur bobines, cartes, &c., acquittent les droits d'après le poids brut.		
	3. Tissus de coton—		
	(a.) De toute espèce, écrus, blanchis, teints ou imprimés, autres que ceux spécialement dénommés ...	Les 10 batmans	1 2 0
	(b.) Velours et peluches de coton ...	Les 10 batmans	2 5 0
	(c.) Tulles de coton brodés ou non brodés ...	Les 10 batmans	2 5 0
	4. Laines brutes, déchets de laine et poils ...	...	Exempts

No.	Désignation des Marchandises.		Droits.		
	Matières textiles, &c.— <i>suite</i> —		T.	Kr.	Ch.
5.	Feutre ordinaire, y compris les objets confectionnés en feutre, à l'exclusion de ceux qui rentrent dans la catégorie des habillements	Les 10 batmans	0	5	0
6.	Fils de laine et de poils de toute espèce	Le batman	0	1	0
	<i>Remarque.</i> —Les fils de laine sur bobines, cartes, &c., acquittent les droits d'après le poids brut.				
7.	Tapis de laine, ainsi que les tapis de table brodés ou bordés de franges ou d'autres ornements analogues	Le batman	0	3	0
8.	Tissus de laine— (a.) Châles de laine des Indes et de Schirvan	Le batman	3	0	0
	<i>Remarque.</i> —Les châles imitant ceux des Indes et de Schirvan de provenance Européenne dûment certifiée acquittent les droits selon l'espèce du tissu.				
	(b.) Tissus de laine pure de toute espèce	Le batman	0	8	0
	<i>Remarque.</i> —Les tissus de laine qui contiennent dans l'ensemble des fils de leur chaîne et de leur trame plus de 90 pour cent de fils de pure laine seront traités comme étant de pure laine.				
	(c.) Tissus de laine mélangée de coton, de lin ou d'autres filaments végétaux, à chaîne ou à trame de pure laine ...	Le batman	0	3	0
	<i>Remarque.</i> —Les tissus de filaments végétaux mélangés, brodés, ou brochés de laine, ainsi que les écharpes et châles de filaments végétaux, mélangés, brodés, ou brochés de laine ou bien garnis de franges en laine, acquittent les droits du tissu selon l'espèce augmentés de 10 pour cent.				
9.	Lin, chanvre, et autres filaments végétaux non dénommés, bruts, y compris les déchets ... ..	...	Exempts		
10.	Jute brute, y compris les déchets ...	Le batman	0	0	4
11.	Fils de lin et de chanvre, simples ou tors, et tissus de ces filaments végétaux écrus ou blanchis, pour emballages, y compris les sacs	Le batman	0	0	6
12.	Fils de jute et d'autres filaments végétaux non dénommés, simples ou tors, et tissus de jute, et d'autres filaments végétaux non dénommés, écrus ou blanchis, grossiers pour emballages, y compris les sacs	Le batman	0	0	10

No.	Désignation des Marchandises.		Droits.		
	Matières textiles, &c.— <i>suite</i> —		T.	Kr.	Ch.
13.	Tissus de lin et de chanvre de toute espèce	Le batman	0	0	10
14.	Tissus de jute et d'autres filaments végétaux, à l'exception des velours et des peluches	Le batman	0	1	0
15.	Velours et peluches de jute	Le batman	0	2	10
16.	Soie en cocons, bourre, et bourrette de soie et déchets de soie non peignés ... ..	...	Exempts		
17.	Soie grège; ouate de soie et déchets de soie, peignés, teints ou non teints	Le batman	0	4	0
18.	Fils de bourre et de bourrette de soie	Le batman	0	5	0
	<i>Remarque.</i> —Les fils sur bobines, cartes, &c., acquittent les droits d'après le poids brut.				
19.	Fils de soie tors ou préparés pour la broderie ou la couture	Le batman	1	0	0
	<i>Remarque.</i> —Les fils sur bobines, cartes, &c., acquittent les droits d'après le poids brut.				
20.	Tissus de soie—				
(a.)	Tissus de bourre et de bourrette de soie	Le batman	0	5	0
(b.)	Tissus de soie pure, brochés de fils d'argent faux ou fin, dorés ou non dorés, ainsi que les velours et peluches de soie pure	Le batman	5	0	0
(c.)	Tissus de soie pure tous autres	Le batman	3	0	0
	<i>Remarque.</i> —Les tissus qui contiennent dans l'ensemble des fils de leur chaîne et de leur trame plus de 90 pour cent de fils de pure soie seront traités comme étant de pure soie.				
(d.)	Tissus de soie mélangée de coton ou d'autres filaments végétaux, à chaîne ou à trame de pure soie	Le batman	1	5	0
	<i>Remarque.</i> —Les tissus de laine ou de filaments végétaux mélangés, brodés, ou brochés de soie ou de fils d'argent faux ou fin, dorés ou non dorés, acquittent les droits du tissu selon l'espèce augmentés de 20 pour cent.				
	<i>Remarques générales.</i>				
	1. Les étoffes tricotées ou tressées en matières filamenteuses, ainsi que les objets de ces étoffes et les objets en tissus qui, après le tissage, n'ont pas reçu de complément de main-d'œuvre, tels que les mouchoirs, les couvertures				

No.	Désignation des Marchandises.		Droits.
	<i>Matières textiles, &c.—suite—</i>		T. Kr. Ch.
	20. Tissus de soie— <i>suite</i> — de lit et de voyage, les nappes et serviettes, les plaids, les châles non dénommés et les écharpes, les voiles et voilettes, la rubanerie, les objets en tricot, &c., suivent le régime des tissus suivant l'espèce.		
	2. Les objets confectionnés en étoffes tricotées ou tressées ou en tissu quelconque, ourlés ou bordés de franges de toute espèce, acquittent les droits afférents au tissu comme les mêmes objets non ourlés et non bordés de franges.		
	21. Fils d'argent ou d'or faux (clinqant étiré ou filé) recouverts d'argent ou d'or fin ou non recouverts, paillons et paillettes d'argent ou d'or faux, galons, bandes, cordons, agréments, franges, et autres articles de passementerie en toutes matières filamenteuses, ainsi que ceux mélangés de clinqant, argenté et doré ou non argenté et non doré ...	Le batman	0 2 0
	22. Fils d'argent fin, étirés ou filés, dits "Cannetille," dorés ou non dorés, ainsi que les galons, bandes, cordons, agréments, franges, et autres articles de passementerie en toutes matières filamenteuses, mélangées de fils d'argent fin dorés ou non dorés.	Le batman	1 0 0
	<i>Remarque.</i> —Les fils d'argent et d'or fin ou faux sur bobines, ainsi que les objets de passementerie sur cartes, &c., acquittent les droits d'après le poids brut.		
	23. Dentelles et broderies de toute espèce	Valeur	20 pour cent
	24. Tissus non dénommés ...	Valeur	10 pour cent
	Cette rubrique comprend notamment les tissus de crins, ainsi que les tresses de paille, de sparte, de junc, les tissus amiantés, &c., &c.		
	25. Cordes, cordages, et ficelle en filaments, végétaux de toute espèce, y compris les filets ...	Les 10 batmans	0 3 0
	26. Drilles et chiffons ...	...	Exempts
21	<i>Mercerie et quincaillerie</i> —		
	1. Les coffres et boîtes en bois de toute espèce, peints ou non peints, garnis ou non garnis d'ornements, de fermetures		

No.	Désignation des Marchandises.		Droits.
	<p>Mercerie et quincaillerie—<i>suite</i>— et de montures en métal, les paniers, corbeilles, cabas de paille et d'autres végétaux, de drap, &c., à l'exception des boîtes, coffrets, et corbeilles de fantaisie ; la cire à cacheter ; la colle de poisson et la colle liquide ; les produits servant au nettoyage et au polissage des cuirs, bois, ou métaux, en boîtes ou en flacons, tels que encaustiques, pom-mades, cirages, &c.</p> <p>2. Tous autres objets</p>	<p>Valeur Valeur</p>	<p>T. Kr. Ch.</p> <p>5 pour cent 15 pour cent</p>
	<p>Cette rubrique comprend notamment :— Les agrafes et porte-agrales de toute es-pèce, y compris les agrafes de fantaisie pour ceintures, manteaux, &c. ; les aiguilles à coudre ou à tricoter ; les appareils photographiques et leurs accessoires, tels que plaques, papier sensibilisé, chassis, &c. ; l'argenterie de table en argent-neuf, en argent-faux, en ruolz, en argent blanc ou en maillechort, y compris les cuillers et fourchettes, et couteaux de table avec manches en ruolz ; et tous les objets des-tinés au service ou à l'ornement de la table, garnis de montures ou de fermetures en argent-neuf, en ruolz, ou en autres métaux y assimilés ; les articles pour fumeurs, tels que fume-cigares, fume-cigarettes, pipes, tabatières, étuis à cigares et à cigarettes, cendriers, porte-allumettes et autres objets analogues ; les articles de bureau, tels que encriers, plumes, porte-plumes, essuie-plumes, crayons, mines, porte-mines, porte-crayons, taille-crayons, règles, compas, &c. ; les articles de toilette, tels que cordons de montre et de pince-nez de toute espèce, sautoirs, chausse-pieds, brosses et peignes de toute espèce, cure-dents, cure-ongles, les éponges, &c. ; les articles de maroquinerie de toute espèce, tels que porte-feuilles, porte-cartes, étuis, porte-monnaies, bourses, &c. ; les articles de voyage, tels que malles, valises, sacs à l'exception des coffres, paniers, et cor-beilles qui sont repris à la section 1 du présent Article ; les articles de lunetterie ordinaires, tels que lunettes, pince-nez, jumelles, longues-vues, stéréoscopes, et autres objets analogues ; les bandages herniaires ; la bijouterie fausse de toute espèce, y compris les articles en jais, ambre, &c., et les pierres et perles fausses ; les boîtes et coffrets de fantaisie ; les boîtes de couleurs, ainsi que leurs</p>		

No.	Désignation des Marchandises.	Droits.
	<p>Mercerie et quincaillerie—<i>suite</i>— 2. Tous autres objets—<i>suite</i>— accessoires et les couleurs en tablettes ou en tubes ; les boutons de toute espèce ; les cannes ; les cartes à jouer ; les chapelets de toute espèce ; les chevilles pour cordonniers ; les cinématographes et autres appareils analogues, et leurs accessoires ; les cravaches ; les dés à coudre ; les épingles de toute espèce ; les étuis en métal et en bois de toute espèce ; les éventails et les écrans ; les feux d'artifice pour divertissements ; les foudres ; l'ivoire, l'écaille, la nacre, et les objets en ces matières, à l'exception des objets spécialement mentionnés à l'Article 19 ; les jeux et jouets de toute espèce ; les lanternes de toute espèce, y compris les lanternes magiques et les lanternes de projection ; le liège en planches, en cubes, en bouchons ; les masques ; les pierres à fusil et pierres de touche ; les phonographes et autres instruments analogues et leurs accessoires ou fournitures ; les sonnettes et sonneries de toute espèce ; les veilleuses ; et en général tous les menus objets, autres qu'en métaux précieux, non spécialement repris dans une autre rubrique du Tarif.</p>	T. Kr. Ch.
22	<p>Mobilier et articles d'ameublement— 1. Meubles— (a.) En bois ou en fer de toute espèce, recouverts de tissus ou de cuir ... (b.) Tous autres meubles ... 2. Tous autres objets servant à l'ameublement ou à la décoration des lieux habités— (a.) Glaces et miroirs encadrés, lampes, candélabres, flambeaux, et bougeoirs (b.) Non dénommés ...</p>	<p>Les 10 batmans 1 5 0 Les 10 batmans 0 5 0 Valeur 5 pour cent Valeur 20 pour cent</p>
	<p>Cet article comprend notamment :— Les cadres et baguettes dorées ou autres pour encadrements ; les coupes et vases de toute dimension ; les coussins ; les pendules, horloges, et réveils ; les statues, statuettes, et bustes ; les tableaux ; les tentures confectionnées ; et généralement tous les objets de fantaisie servant à garnir les cheminées, consoles, &c.</p>	
23	<p>Montres— 1. Montres en or ... 2. Montres en argent ... 3. Montres autres qu'en or ou en argent ...</p>	<p>La pièce 2 0 0 La pièce 0 5 0 La pièce 0 4 0</p>

No.	Désignation des Marchandises.		Droits.
24	Navires et bateaux, y compris les agrès et appareils	Valeur	T. Kr. Ch. 5 pour cent
25	Objets d'art et de collection pour musées ... ..	...	Exempts
26	Opium	Le batman	6 0 0
27	Papiers et leurs applications—		
	1. Papier d'impressions ou à écrire, ordinaire, blanc, ou coloré, y compris les enveloppes ordinaires, à l'exclusion de celles avec chiffre, initiales, ou vignettes et du papier en boîtes et de fantaisie	Le batman	0 0 5
	2. Papier à écrire et enveloppes de fantaisie ou de luxe, en boîtes ou autrement emballés, avec ou sans chiffre, initiales, ou vignettes	Le batman	0 7 0
	<i>Remarque.</i> —Les papiers à écrire importés en boîtes acquittent le droit d'après le poids brut.		
	3. Papiers d'ameublement ou de tenture	Le batman	0 0 10
	4. Autres papiers, y compris le carton	Le batman	0 0 5
	5. Ouvrages en papier	Le batman	0 5 0
	Cette rubrique comprend notamment les reliures et cartonnagés, les cahiers reliés ou brochés, les livres de compte et registres reliés, les papiers et enveloppes sur tissus, &c., &c.		
28	Parfumeries de toute espèce, y compris les huiles essentielles de parfumerie, les pommades et cosmétiques, les huiles et les poudres de toilette, les pâtes et eaux dentifrices, &c., &c.	Valeur	15 pour cent
29	Peaux et leurs applications—		
	1. Peaux brutes d'agneaux, dites de Bagdad	Le batman	0 1 0
	2. Autres peaux brutes, séchées ou salées	Le batman	0 0 10
	3. Peaux préparées—		
	(a.) Pelleteries apprêtées	Le batman	10 0 0
	(b.) Peaux tannées, corroyées, ou mégissées	Le batman	0 0 10
	(c.) Peaux teintées, vernies, chamoisées, maroquinées ou laquées	Le batman	0 1 0
	4. Ouvrages de toute espèce en cuir	Le batman	0 1 10
	Cet article comprend notamment les articles de sellerie et de bourrellerie, les articles de cordonnerie dont le cuir forme la partie principale, les courroies, &c., à l'exclusion des articles de fantaisie et des objets tels que portefeuilles, porte-monnaies, valises, &c.		

No.	Désignation des Marchandises.		Droits.
30	Poteries de toute espèce, à l'exclusion des vases, statuettes, et articles de fantaisie—		T. Kr. Ch.
	1. Tuiles et briques ... ..	...	Exemptes
	2. Autres objets en terre simplement cuite	Les 10 batmans	0 0 10
	3. Objets en faïence et en porcelaine de toute espèce... ..	Le batman	0 0 8
31	Produits chimiques de toute espèce—		
	(a.) Sel de soude	Le batman	0 0 2
	(b.) Tous autres	Le batman	0 1 0
32	Produits typographiques et lithographiques—		
	1. Journaux, revues périodiques, livres, musique gravée ou imprimée et étiquettes commerciales accompagnant les marchandises ... ..	...	Exempts
	2. Autres produits typographiques et lithographiques	Le batman	0 4 0
	Cette rubrique comprend notamment les images, gravures, estampes, &c., en feuillets détachés ou en cahiers reliés ou brochés.		
	<i>Remarque.</i> — L'admission à l'entrée des journaux, revues, livres, et gravures reste soumise au contrôle du Gouvernement.		
33	Poudres à tirer... ..	...	Prohibées
	Y compris la dynamite et tous les produits explosifs quelconques ayant un pouvoir détonnant égal ou supérieur à celui de la poudre à canon ordinaire, ainsi que les cartouches, les capsules de poudre fulminante, les projectiles de toute espèce, les douilles vides, amorcées ou non, et les autres articles analogues.		
	<i>Remarque.</i> —Les importations effectuées en vertu d'une dispense spéciale du Gouvernement, conformément à la Loi du 5 Ramazan, 1317, seront soumises à une taxe de 2 tomans par batman.		
34	Récoltes et fourrages ... ..	...	Exempts
35	Résines et bitumes ... ..	...	Exempts
36	Saccharine et autres produits similaires	Le batman	9 0 0
37	Savons—		
	1. Savons parfumés	Le batman brut	0 1 0
	2. Savons autres	Le batman	0 0 4

No.	Désignation des Marchandises.		Droits.		
			T.	Kr.	Ch.
38	Tabacs—				
	1. Tabacs non fabriqués en feuilles ou concassés	Le batman	0	3	0
	2. Tabacs fabriqués—				
	(a.) Cigares ordinaires en caisses de cent ou plus, ne coûtant pas plus de 80 francs le mille	Le batman brut	3	0	0
	(b.) Cigares autres	Le batman brut	8	0	0
	(c.) Cigarettes et tabacs fabriqués autres	Le batman brut	1	0	0
	Cette rubrique comprend notamment le tabac préparé pour la pipe, le tabac à priser, le tabac à mâcher, les jus ou sauces de tabac (prais), &c.				
39	Teintures, couleurs, et vernis—				
	1. Aniline, couleurs d'aniline, et toutes les couleurs préparées au moyen d'aniline ... ..	...	Prohibées.		
	2. Indigo et kermes	Le batman brut	1	0	0
	3. Vernis préparés à l'alcool	Le batman brut	0	5	0
	4. Autres vernis	Le batman brut	0	3	0
	5. Teintures et couleurs non dénommées	Le batman brut	0	1	0
40	Végétaux et substances végétales, non spécialement dénommés ... ..	...	Exempts		
41	Verreries—				
	1. Objets en verre et en cristal avec ornements, tels que : Dessins gravés au burin ou à l'acide, peintures, émail, dorure, argenture, ornements en cuivre ou alliage de cuivre ; ouate de verre, tissus de verre et ouvrages qui en sont faits, à l'exclusion des vases, et articles de fantaisie	Le batman	0	2	0
	2. Tous autres objets non dénommés, à l'exclusion des vases et articles de fantaisie	Les 10 batmans	0	4	0
	3. Verres de vitrage	Les 10 batmans	0	2	0
	4. Glaces non encadrées de moins de 50 décimètres carrés	Les 10 batmans	1	0	0
	5. Les mêmes de 50 décimètres carrés ou plus	Les 10 batmans	2	0	0
42	Voitures et véhicules de toute espèce—				
	1. Charrettes, tarentass, fourgons, chariots, brouettes, et autres véhicules analogues, non suspendus, y compris les locomotives à vapeur et les pièces détachées ou non assemblées	Valeur	5 pour cent		
	2. Toutes autres voitures et véhicules, y compris les automobiles, vélocipèdes, &c., ainsi que les pièces détachées ou non assemblées	Valeur	10 pour cent		

OBSERVATIONS ADDITIONNELLES.

I.—*Acquittement des Droits.*

Article 1. Les droits spécifiques inscrits dans le Tarif doivent être perçus intégralement sur les quantités présentées à l'importation ou à l'exportation et sans égard à la qualité, à la valeur relative ou à l'état des marchandises. Toutefois, lorsqu'il est dûment justifié d'événements ayant détérioré les marchandises en cours de transport, et s'il est reconnu qu'il n'y a aucune intention frauduleuse, le déclarant ou propriétaire aura la faculté de réclamer le triage et la destruction ou la réexportation des marchandises avariées. En outre, dans des cas exceptionnels, notamment lorsque des marchandises auront été avariées en cours de transport, des réductions de droits proportionnels à la perte de valeur pourront être accordées, mais seulement à l'intervention de l'Administration Centrale des Douanes.

De plus, les sujets Britanniques auront toujours la faculté de réexporter en exemption des droits de douane les marchandises importées qui se trouvent déposées en entrepôt ou dans un bureau d'entrée aussi longtemps que ces marchandises n'auront pas été déclarées pour la consommation.

Article 2. A l'égard des marchandises imposées à raison d'un nombre ou d'un poids déterminé, les droits sont dus, lorsqu'il s'agit de plus fortes ou de moindres quantités, proportionnellement au taux indiqué au Tarif, comme si cette proportion était spécifiée à chaque article. Les droits se perçoivent dans la même proportion pour les marchandises tarifées à la valeur.

Article 3. Les droits de douane fixés par le Tarif Persan sont payables en nouveaux krans d'argent calculés à raison de 100 krans pour 18 roubles Russes ou 48 francs Français en monnaie d'or.

Il sera loisible aux sujets Britanniques de payer ces droits en Perse en monnaie du pays ou en billets de crédit de la Banque d'Angleterre d'après le calcul préindiqué, aussi longtemps que le Gouvernement Anglais garantira le remboursement de ces billets en or.

Dans le cas où le change du kran par rapport au rouble prédésigné viendrait à s'élever ou à s'abaisser de plus de 10 pour cent, le Gouvernement Persan, d'accord avec le Ministre d'Angleterre à Téhéran, prendra un Décret élevant ou abaissant proportionnellement le taux des droits spécifiques inscrits dans le Tarif.

II.—*Marchandises tarifées au Poids.*

Article 4. L'unité de poids pour les marchandises imposées d'après cette base est le batman dit de Tauris de 640 miskals de Perse, soit de 2 kilog. 967 grammes de France.

Article 5. Les droits sur les marchandises qui sont indiquées dans le Tarif comme devant acquitter les droits d'après le poids brut sont calculés sur le poids réel de la marchandise, y compris le poids de ceux des emballages qui, d'après les usages du commerce, passent aux acheteurs avec la marchandise, notamment les bidons, futailles, bouteilles, cruchons, ou flacons contenant les liquides, les pots et boîtes de toute espèce, les cartons, les enveloppes de papier ou de toile, et tous autres emballages qui ne peuvent ou ne doivent être séparés de la marchandise sans la détériorer ou sans modifier la forme sous laquelle elle est habituellement présentée pour la vente en gros ou en détail.

Article 6. A l'égard des autres marchandises acquittant les droits au poids et pour lesquelles le Tarif n'indique pas qu'elles sont imposées d'après le poids brut, les importateurs devront stipuler dans leur déclaration s'ils désirent que les droits soient calculés :

Soit d'après le *poids net réel*, c'est-à-dire, d'après le poids de la marchandise dépouillée de tous ses emballages ;

Soit d'après le *poids net légal*, c'est-à-dire, le poids cumulé de la marchandise et de tous ses emballages quelconques, défalcation faite de la *tare légale*.

A défaut d'indication dans la déclaration de l'option préindiquée, les droits seront toujours calculés d'après le *poids net légal*.

Article 7. La *tare légale* sur les marchandises imposées au poids est fixée comme suit :—

1. Pour les faïences, porcelaines, verreries, glaces non encadrées et verres de vitrage, en caisses ou futailles, à 40 pour cent du poids brut total.

2. Pour toutes autres marchandises :

(a.) En caisses ou futailles à 20 pour cent du poids brut total ;

(b.) En paniers, canastres, ou autres emballages en cuir à 8 pour cent du poids brut total ;

(c.) En nattes, sacs, ou autres emballages analogues à 3 pour cent du poids brut total.

Le calcul de la tare n'est pas applicable aux emballages qui ne recouvrent qu'imparfaitement la marchandise, tels que, par exemple, ceux faits de planchettes, à claire-voie, &c., &c.

Article 8. Les déclarants sont tenus de présenter les marchandises à la vérification en les dépouillant de leurs emballages, et ils sont également tenus de les faire remballer.

Toutefois, lorsque les déclarants présentent soit les factures originales, ou notes de fabricants ou commerçants en gros, soit des notes spécifiques de l'espèce, du poids et de la valeur des marchandises contenues dans chaque colis, la Douane devra se borner à faire vider suivant l'importance de l'expédition un ou plusieurs colis qu'elle désigne spécialement à cet effet. Mais si l'espèce des marchandises, le poids ou la valeur qui résultent de cette vérification par épreuve révèlent des différences supérieures à 5 pour cent des éléments de la déclaration, la Douane exigera que tous les colis soient vidés.

III.—*Marchandises tarifées à la Valeur.*

Article 9.—A l'égard des marchandises imposées d'après la valeur, les importateurs sont tenus de déclarer ou de faire déclarer par écrit la valeur sur laquelle ils désirent qui les droits soient calculés.

Article 10.—L'importateur doit déclarer séparément la valeur des marchandises contenues dans le même colis lorsque, tarifées, d'après cette base, la valeur des unes diffère de celle des autres. Toutefois, lorsqu'il s'agit d'articles de mercerie ou de fantaisie ayant une certaine affinité entre eux, ou formant un assortiment dont la valeur ne dépasse pas 100 tomans, on pourra se borner à déclarer la valeur globale.

Article 11.—La valeur à déclarer en douane est celle que les marchandises ont au lieu d'origine ou de production augmentée des frais d'emballage, d'achat, d'assurance, et de transport jusqu'au lieu d'importation ou d'exportation.

Article 12. Si la Douane juge insuffisante la valeur déclarée, elle peut à son choix demander aux déclarants de souscrire une déclaration supplémentaire ou bien retenir définitivement les marchandises, en payant aux intéressés le montant de la valeur déclarée par eux augmenté de 10 pour cent à titre d'indemnité. La Douane est tenue d'effectuer de dit paiement le plus tôt possible et au plus tard quinze jours après le moment où la préemption a été notifiée aux déclarants.

IV.—*Modifications au Tarif.*

Article 13.—En cas de changement au Tarif, le Tarif applicable est celui qui existe au moment de l'inscription en douane des marchandises au premier bureau d'entrée ou de sortie.

V.—*Marchandises omises au Tarif.*

Article 14. Dans le cas où l'on présenterait à l'entrée en Perse des marchandises dont la classification est douteuse, l'Administration Centrale des Douanes aura le droit d'en décréter la tarification par assimilation aux marchandises avec lesquelles elles ont le plus d'analogie.

Toutefois, les décisions de l'espèce concernant les marchandises omises au Tarif seront prises d'accord avec le Ministre d'Angleterre à Téhéran.

VI.—*Procédure en matière de Contraventions.*

Article 15. Toutes contraventions relativement aux règles fixées pour l'importation, l'exportation, ou le transit, de même que toutes contestations sur l'application du Tarif qui intéressent un sujet Britannique seront jugées en premier ressort par le Directeur des Douanes de la province à l'intervention du Consul d'Angleterre ou de son Délégué. Il sera toujours loisible à ce dernier d'interjeter appel de la décision intervenue, et dans ce cas le litige sera porté devant l'Administration Centrale des Douanes à Téhéran, où il sera jugé définitivement à l'intervention du Ministre d'Angleterre ou de son Délégué.

TARIF (B).—Importations en Russie de Marchandises de
Provenance Persane.

Annexé ad memorandum.

Nos. d'Ordre.	Désignation des Marchandises de Provenance Persane.		Droits.
			Rs. Kop.
1	Céréales en grains de toute espèce, à l'ex- ception du riz, pommes de terre, pois, et fèves ... ..	...	Exempts
2	Riz—		
	(a.) Mondé	Le poud	0 15
	(b.) Non mondé ou riz n'ayant plus de balle extérieure, mais ayant encore la pellicule intérieure	Le poud	0 07
	(c.) Non mondé, ayant la balle extérieure...	Le poud	0 05
3	Légumes ordinaires non spécialement pré- parés, oignons, et ail ... ..	...	Exempts
4	Fruits et baies—		
	(a.) Noix et noisettes de toute espèce, non spécialement dénommées, noyaux de pêches et d'abricots, graines de courges nettoyées, châtaignes et noix de coco ...	Le poud	0 25
	(b.) Amandes et pistaches avec ou sans coques	Le poud	0 40
	(c.) Fruits et baies autres, frais ou secs, de toute espèce	Le poud	0 25
5	Jus de fruits ou de baies, sans sucre et sans addition d'alcool	Le poud brut	0 25
6	Fromages	Le poud	1 00
7	Œufs de volaille	Les 100 pièces	0 05
8	Animaux vivants—		
	1. Anes	Tête	1 80
	2. Chevaux et poulains... ..	Tête	5 40
	3. Chameaux	Tête	9 40

Nos. d'Ordre.	Désignation des Marchandises de Provenance Persane.		Droits.
			Rs. Kop.
	Animaux vivants— <i>suite</i> —		
	4. Mulets	Tête	7 20
	5. Race bovine (bœufs, vaches, &c.) ...	Tête	1 80
	6. Races ovine et caprine (montons, brebis, chèvres, &c.)	Tête	0 18
	7. Animaux vivants non dénommés ...	Valeur	10 pour cent
9	Cornes de toute espèce et sabots, parties d'animaux, y compris les boyaux, produits animaux employés en médecine et non spécialement dénommés au Tarif Général de Russie ... ..	...	Exempts
10	Graisses animales non spécialement dé- nommées	Le poud brut	0 30
11	Peaux non préparées ou peaux en poils, à l'exception des pelleteries—		
	(a.) Sèches ou salées à sec	Le poud	0 60
	(b.) Salées humides	Le poud	0 30
12	Peaux préparées—		
	(a.) Peaux tannées, préparées à l'alun, mé- gissées, chamoisées, petites et grandes, à l'exception du maroquin, les peaux glacées, le chevreau, et le chagrin ...	Le poud	0 80
	(b.) Maroquin	Le poud	1 10
	(c.) Pelleteries de toute espèce non spé- cialement dénommées au Tarif Général de Russie	Le poud	2 30
13	Bois communs — en poutres, ... rondins, perches, en billots, en poutres équarries ou sciées de plus de deux pouces d'épais- seur, en planches et poutrelles d'une épaisseur supérieure à $\frac{1}{4}$ de pouce jusqu'à 2 pouces inclusivement, non rabotées, bois à brûler, bourrées, fagots ... ..	...	Exempts
14	Foin sous toute forme et paille non net- toyée ... ..	...	Exempts
15	Parties de plantes dans leur état naturel et semences, non spécialement dénommées, y compris le sésame ... ..	...	Exempts
16	Nattes et sacs confectionnés avec des matières végétales non textiles ... ..	...	Exempts
17	Pierres précieuses et demi-précieuses, naturelles ou artificielles, brutes ou taillées, perles fines ou fausses, coraux véritables ou artificiels, non ouverts ...	La livre	2 00

Nos. d'Ordre.	Désignation des Marchandises de Provenance Persane.		Droits.
18	Charbon de bois ... ..	...	Rs. Kop. Exempt
19	Gommès et résines de toute espèce, non spécialement dénommées dans le Tarif Général de Russie	Le poud	0 60
20	Coton brut, les bouts et les peignures de coton... ..	Le poud	0 40
21	Lin et chanvre, peignés ou non, peignures de lin et de chanvre ... ..	...	Exempts
22	Laines et poils, non peignés, non filés, en suint ou lavés, non teints, peignures de laines non teintés	Le poud	0 30
23	Tissus de coton écrus, blanchis, teints, colorés, peints, imprimés, y compris les velours, et peluches en coton, de pro- venance Persane certifiée par le Consulat Impérial de Russie	La livre	0 38
24	Tissus de soie de provenance Persane certifiée par le Consulat Impérial de Russie—		
	(a.) Tissus de soie pure brochés de fils d'argent faux ou fin, dorés, ou non dorés, ainsi que les velours et peluches de soie pure	La livre	1 25
	(b.) Tissus de soie pure tous autres, y compris les tissus de bourre et de bourrette de soie	La livre	0 75
	<i>Remarque.</i> —Les tissus qui con- tiennent dans l'ensemble des fils de leur chaîne et de leur trame plus de 90 pour cent de fils de pure soie seront traités comme étant de pure soie.		
	(c.) Tissus de soie mélangée de coton ou d'autres filaments végétaux, à chaîne ou à trame de pure soie	La livre	0 38
25	Tissus de laine de toute espèce, y compris les tissus confectionnés de fils de poils de chèvre, de vigogne et de chameau; cou- vertures de lit en frise (laine grossière), housses en laine pour chevaux, cloches de feutre, étamines et ceintures sans mélange de soie, de provenance Persane certifiée par le Consulat Impérial de Russie ...	La livre	0 18

Nos. d'Ordre.	Désignation des Marchandises de Provenance Persane.		Droits.
	<i>Remarque générale pour tous les tissus mentionnés de provenance Persane certifiée par le Consulat Impérial de Russie.</i>		Rs. Kp.
	Les tissus de laine ou de filaments végétaux, mélangés, brodés, ou brochés de soie ou de fils d'argent faux ou fin, dorés ou non dorés, acquittent les droits du tissu selon l'espèce augmentés de 20 pour cent. Les tissus de laine ou de filaments végétaux brodés ou brochés de laine ou de filaments végétaux, acquittent les droits du tissu selon l'espèce augmentés de 10 pour cent.		
26	Feutre ordinaire et les articles confectionnés en feutre non spécialement dénommés, teints ou non teints	Le poud	0 50
27	Ouvrages tricotés en laine, coton, et autres matières filamenteuses, mais sans mélange de soie, faits à la main, de provenance Persane certifiée par le Consulat Impérial de Russie	Le poud	1 50
28	Tapis de laine de toute espèce, de provenance Persane certifiée par le Consulat Impérial de Russie	Le poud	4 00

TARIF (C).—Exportations de Perse au Royaume-Uni.

No.	Désignation des Marchandises.		Droits.
1	Animaux vivants—		T. Kr. Ch.
	1. Anes	Tête	1 0 0
	2. Chevaux et poulains... ..	Tête	3 0 0
	3. Chameaux	Tête	5 0 0
	4. Mulets	Tête	4 0 0
	5. Race bovine (bœufs, vaches, &c.)	Tête	1 0 0
	6. Races ovine et caprine (moutons, brebis, chèvres, &c.)	Tête	0 1 0
	7. Animaux vivants non dénommés	Valeur	10 pour cent
2	Armes de toute espèce ... ..	...	Prohibées
3	Beurres et autres graisses comestibles	Les 10 batmans	0 7 0
4	Boissons—		
	1. Vins de toute espèce... ..	Le batman	0 0 5
	2. Eaux-de-vie et liqueurs de toute espèce	Le batman	0 2 10

No.	Désignation des Marchandises.		Droits.
5	Denrées et conserves alimentaires—		T. Kr. Ch.
	1. Sel	Les 10 batmans	0 1 0
	2. Œufs	100 œufs	0 0 5
	3. Grains, graines, et leurs dérivés—		
	(a.) Riz mondé	Les 10 batmans	0 0 15
	(b.) Riz non mondé n'ayant plus de balle extérieure, mais ayant encore la pellicule intérieure	Les 10 batmans	0 0 7
	(c.) Riz non mondé ayant la balle ex- térieure	Les 10 batmans	0 0 5
	(d.) Tous autres grains	Les 10 batmans	0 1 0
	(e.) Farines comestibles	Les 10 batmans	0 1 10
6	Matières textiles brutes—		
	1. Soie en cocons et déchets de soie non peignée	Les 10 batmans	1 5 0
	2. Soie grège, ouate de soie et déchets de soie peignée, teints ou non teints	Les 10 batmans	3 0 0
7	Opium	Le batman	5 0 0
	<i>Remarque.</i> —Ce droit pourra être abaissé par le Gouvernement Persan jusqu'à deux toman.		
8	Pierres précieuses, montées ou non montées, y compris les perles	Valeur	5 pour cent
9	Poissons frais, secs, ou salés	Les 10 batmans	0 1 0
10	Tabacs—		
	1. Tabacs non fabriqués	Les 10 batmans	1 0 0
	2. Tabacs fabriqués	Les 10 batmans	3 0 0
11	Toutes autres marchandises ... ..	...	Exemptes

Fait double, en français et en persan à Téhéran le 9 Février, 1903,
et le 11 Zilkadeh de l'an 1320 de l'Hégire.

(L.S.) ... ARTHUR H. HARDINGE.
(L.S.) ... J. NAUS.

The seal and signature of the Atta Bek Azam were affixed to the
Persian text.

(A.)

Sir A. Hardinge to M. Naus.

M. le Ministre,

Téhéran, le 12 Février, 1903.

Tout en m'autorisant à signer, le 9 Février, la Déclaration concernant les
nouveaux Tarifs dans les termes que nous avions rédigés, le Gouvernement du
Roi tient à mettre au clair le sens qu'il attache à la dernière partie de
l'Article II.

Il lui semble que la Convention Spéciale dont il est question dans cet Article ne deviendrait nécessaire qu'au cas de désaccord entre les deux Hautes Parties Contractantes par rapport aux nouveaux droits proportionnels que la Perse aura la faculté dans certaines éventualités de prélever. Il se pourrait que ces droits misent les importations Anglaises, comparées à celles des autres pays ayant des Conventions Commerciales avec la Perse, sur un pied d'inégalité qui nous amènerait à demander un nouvel arrangement, à défaut duquel la Déclaration actuelle serait abrogée, et le régime antérieur rétabli.

La conclusion d'une Convention Spéciale consacrant un pareil arrangement ne découlerait cependant point *ipso facto* d'une augmentation réciproque de droits, mais seulement d'une contestation à ce sujet.

Nous estimons aussi que la suppression en Angleterre de nouveaux droits motivant du côté Persan les représailles prévues par la Déclaration entraînerait comme conséquence naturelle la cessation simultanée de celles-ci. Ce raisonnement n'est d'ailleurs qu'équitable.

Je vous prie, M. le Ministre, si ces vues sont conformes, comme je le pense, à celles du Gouvernement Persan, de vouloir bien me l'affirmer par écrit. Cet échange de notes constituerait alors une annexe à l'accord que nous venons de souscrire et écarterait la possibilité de tout malentendu ultérieur.

Les copies des Tarifs (A) et (C) annexés à la Déclaration ont été préparées à la hâte, vu la nécessité de les expédier le 10 courant à Londres, et contiennent par conséquent de nombreuses rectifications et surcharges. Je prierais votre Excellence de bien vouloir m'en fournir, aussitôt que vous le pourrez, de nouvelles copies soigneusement collationnées, que je leur ferai substituer afin d'assurer que les droits et autres détails inscrits dans les Tarifs annexés à la Déclaration du 9 Février dernier soient identiques à ceux inscrits dans les Tarifs annexés à la Déclaration Russo-Persane du 27 Octobre, 1901.

Nous sommes convenus aujourd'hui que la Déclaration entrerait en vigueur le 14 courant. Elle ne pourra être promulguée en Angleterre que quelques semaines plus tard, mais comme elle n'y modifie point de fait le régime actuellement appliqué au commerce Persan, ce retard ne comporte, à mon avis, aucune conséquence d'ordre pratique.

Veuillez, &c.,
(Signé) ARTHUR H. HARDINGE.

(B.)

M. Naus to Sir A. Hardinge.

M. le Ministre, *Téhéran, le 13 Février, 1903.*

J'ai l'honneur d'accuser réception à votre Excellence de son office du 12 Février courant relatif à l'interprétation de certaines clauses de la Déclaration Anglo-Persane du 9 de ce mois.

En conséquence, prenant acte, au nom du Gouvernement Persan, de votre office précité et me référant au surplus aux conférences que j'ai eues avec votre Excellence à ce sujet, je résume ci-après les points sur lesquels notre accord commun est constaté :—

1. Article 2, *in fine*, relativement à la clause stipulant—

Que dans le cas où le Royaume-Uni viendrait à établir dans son Tarif Général, sans un accord préalable avec la Perse, sur les produits Persans énumérés dans le Tarif (B) applicable aux importations Persanes en Russie (annexé à la Déclaration *ad memorandum*) des droits autres que ceux qui existent actuellement dans son Tarif Général précité et supérieurs aux droits inscrits dans le dit Tarif (B), la Perse aurait la faculté d'imposer à son tour des droits proportionnels aux provenances de même espèce du Royaume-Uni ;

Qu'une Convention Spéciale serait négociée dans ce but ; et

Qu'à défaut d'entente la Déclaration deviendrait nulle et que les deux Parties se trouveront de nouveau sous le régime antérieur consacré par l'Article IX du Traité de Paris du 4 Mars, 1857 ;

Il est convenu—

(a.) Qu'il n'y aurait lieu à la négociation de la Convention prévue qu'en cas de contestations relatives à une augmentation réciproque de certains droits ;

(b.) Que si le Royaume-Uni, après avoir établi dans son Tarif Général de nouveaux droits d'entrée, ayant justifié l'établissement en Perse de nouveaux droits d'entrée proportionnels, venait à supprimer les dits droits, cette suppression entraînera de plein droit la suppression des mêmes droits proportionnels à l'entrée en Perse;

(c.) Et enfin, afin d'éviter tout malentendu ultérieur sur ce point, il est formellement stipulé que le retour éventuel au "régime antérieur consacré par l'Article IX du Traité de Paris du 4 Mars, 1857," ne vise pas le rétablissement éventuel des droits antérieurs de 5 pour cent à l'entrée et à la sortie prévus par le Traité Russo-Persan de Tourkmantchai du 10 (22) Février, 1828, mais bien le retour éventuel au régime réciproque pur et simple de la nation la plus favorisée, sans stipulations de Tarif prévu par le dit Traité de Paris.

2. Article 5.—Concernant l'application de la clause disant qu'un Règlement Général arrêté par l'Administration des Douanes pour lequel il sera établi un accord avec la Légation d'Angleterre à Téhéran fixera, &c., il est entendu que, puisque la Déclaration Russo-Persane du 27 Octobre, 1901, laquelle est antérieure, prévoit que le Règlement dont il s'agit devra être arrêté d'accord avec la Légation de Russie à Téhéran, c'est sur la base de la dite Déclaration Russo-Persane que l'accord sera établi avec la Légation d'Angleterre.

3. Article 6.—Le Gouvernement Persan se déclare obligé en cas d'abaissement, sur la demande de la Légation de Russie à Téhéran, des droits de Douane à l'égard des marchandises importées de Russie, d'étendre aussitôt cet abaissement des droits aux marchandises Britanniques à leur entrée en Perse, de même qu'aux marchandises Persanes à leur exportation pour l'Empire Britannique, sans attendre une Déclaration spéciale à ce sujet de la part de la Légation d'Angleterre à Téhéran.

4. Les copies des Tarifs (A) et (C) annexées à la Déclaration ayant été préparées à la hâte et contenant, par suite, de nombreuses rectifications et surcharges, il est entendu que l'Administration des Douanes en fera dresser, le plus tôt possible, de nouvelles copies soigneusement collationnées afin d'assurer que les droits et les autres détails inscrits soient strictement conformes à ceux inscrits dans les Tarifs annexés à la Déclaration Russo-Persane du 27 Octobre, 1901. Ces nouvelles copies seront substituées à celles qui ont été échangées primitivement.

J'ai l'honneur, M. le Ministre, de prier votre Excellence de bien vouloir me confirmer son accord au sujet des Déclarations qui précèdent, lesquelles constituent une annexe à la Déclaration du 9 Février, 1903.

Pour le surplus je marque à votre Excellence l'accord du Gouvernement Persan relativement à la promulgation ultérieure en Angleterre de la Déclaration échangée entre les deux Gouvernements.

Je vous prie, &c.
(Signé) NAUS.

(C.)

Sir A. Hardinge to M. Naus.

M. le Ministre,

Téhéran, le 14 Février, 1903.

En réponse à l'office de votre Excellence en date d'hier, j'ai l'honneur de vous marquer mon accord, conformément à votre désir, au sujet des Déclarations explicatives y contenues, sous la réserve, pour ce qui concerne le Règlement Douanier visé par l'Article 5 de la Déclaration Russo-Persane, que tout droit ou avantage que ce Règlement concèdera au Gouvernement et aux sujets Russes devra également être concédé, dans celui qui sera établi avec nous, au Gouvernement et aux sujets de Sa Majesté Britannique.

Je vous prie, &c.
(Signé) ARTHUR H. HARDINGE.

PERU.

No. 133.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN
GREAT BRITAIN AND PERU.*Signed at London, April 10, 1850.***[Ratifications exchanged at London October 15, 1852.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Republic of Peru, being desirous to maintain and improve the relations of good understanding which happily subsist between them, and to promote the commercial intercourse between their respective subjects and citizens, have deemed it expedient to conclude the following Treaty of Friendship, Commerce, and Navigation, and have for that purpose named as their respective Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, Knight Grand Cross of the Most Honourable Order of the Bath, and Her Britannic Majesty's Principal Secretary of State for Foreign Affairs ; and the Right Honourable Henry Labouchere, a Member of Her Majesty's Most Honourable Privy Council, a Member of Parliament, and President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations ; And His Excellency the President of the Republic of Peru, Don Joaquin José de Osma, Minister Plenipotentiary of the Republic of Peru at the Court of Her Britannic Majesty ;

Who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Friendship.

There shall be perpetual friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her

* Signed also in Spanish.

heirs and successors, and the Republic of Peru, and between their respective subjects and citizens.

ARTICLE II.

Freedom of Commerce, Navigation, and Residence.—Hiring, &c., of Houses and Warehouses.—Trade.—National Treatment.

There shall be, between all the dominions of Her Britannic Majesty and the territories of the Republic of Peru, a reciprocal freedom of commerce. The subjects and citizens of each of the two countries, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the territories of the other, where trade with other nations is permitted. They may remain and reside in any part of the said territories respectively; and hire and occupy the houses and warehouses which they may require; and may trade by wholesale or retail in all kinds of produce, manufactures, and merchandize of lawful commerce, enjoying the same exemptions and privileges as native subjects or citizens, and subject always to the same laws, decrees, and established customs as native subjects or citizens.

Vessels of War and Mail Packets.

In like manner, the ships of war and post-office packets of each country, respectively, shall have liberty to enter into all harbours, rivers, and places, within the territories of the other, to which the ships of war and packets of other nations are or may be permitted to come, to anchor there, and to remain and refit; subject always to the laws and regulations of each country respectively.

Coasting Trade Reserved.

The stipulations of this Article do not apply to the coasting trade, which each country reserves to itself respectively, and shall regulate according to its own laws.

ARTICLE III.

[Terminated in 1864.]

ARTICLE IV.

[Terminated in 1864.]

ARTICLE V.

[Terminated in 1864.]

ARTICLE VI.

[Terminated in 1864.]

ARTICLE VII.

Transaction of Business, Employment of Agents, Fixation of Prices of Goods.—National Treatment.

All merchants, commanders of ships, and others, the subjects or citizens of each country respectively, shall have full liberty, in all the territories of the other, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as agent, broker, factor, or interpreter; and they shall not be obliged to employ any other persons than those employed by natives, nor to pay to such persons as they shall think fit to employ, any higher salary or remuneration than such as is paid, in like cases, by natives.

The subjects of Her Britannic Majesty in Peru, and the citizens of Peru in the dominions of Her Britannic Majesty, shall enjoy the same full liberty which is now or may hereafter be enjoyed by natives of each country respectively, to buy from and sell to whom they like, all articles of lawful commerce, and to fix the prices thereof as they shall see good, without being prejudiced by any privilege granted to other individuals to buy or sell; subject, however, to the general contributions or imposts established by law.

Protection of Persons and Property.—Administration of Justice.—National Treatment.

The subjects and citizens of either of the Contracting Parties, in the territories of the other, shall enjoy full and perfect protection for their persons and property, and shall have free and open access to the courts of justice for the prosecution and defence of their just rights; and they shall be at liberty to employ, in all causes, the advocates, attorneys, or agents of whatever description, whom they may think proper; and they shall enjoy in this respect the same rights and privileges as native subjects or citizens.

ARTICLE VIII.

Police of the Ports.—Loading and Unloading of Vessels.—Warehousing.—Succession to and Disposal of Property.—Administration of Justice.—National Treatment.

In whatever relates to the police of the ports, the lading and unlading of ships, the warehousing and safety of merchandize, goods, and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination by sale, donation, exchange, or testament, or in any other manner whatsoever, as also with regard to the administration of justice, the subjects and citizens of each Contracting Party shall enjoy, in the dominions or territories of the other, the same privileges, liberties, and rights, as native subjects or citizens; and shall not be charged, in any of these respects, with any other or

higher imposts or duties, than those which are or may be paid by native subjects or citizens: subject always to the local laws and regulations of such dominions or territories.

Intestate Estates.

In the event of any subject or citizen of either of the two Contracting Parties dying without will or testament, in the dominions or territories of the other Contracting Party, the Consul-General, Consul, or Vice-Consul of the nation to which the deceased may belong shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named according to the laws of the country in which the decease shall have taken place.

ARTICLE IX.

Exemption from Military Service, Forced Loans, &c.—Taxes, &c.—National Treatment.

The subjects of Her Britannic Majesty residing in the Republic of Peru, and the citizens of the Republic of Peru residing in the dominions of Her Britannic Majesty, shall be exempted from all compulsory military service whatsoever, whether by sea or land, and from all forced loans, or military exactions or requisitions; and they shall not be compelled, under any pretext whatsoever, to pay any ordinary charges, requisitions, or taxes, other or higher than those that are or may be paid by native subjects or citizens.

ARTICLE X.*

Military and Naval Deserters.

Each of the two Contracting Parties agrees that it will not knowingly receive into, or retain in, its service, any subjects or citizens of the other Party who have deserted from the naval or military service of that other Party; but that, on the contrary, each shall respectively discharge from its service any such deserters, upon being required by the other Party so to do.

Recovery of Merchant Seamen Deserters.—Most-favoured-nation Treatment.

And it is further agreed, that if any of the crew shall desert from the vessels of war* or merchant-vessels of either Contracting Party, while such vessels are within any port in the territory of

* This Article does not apply to deserters from vessels of war. See Declaration of October 15, 1852 (p. 698).

the other Party, the authorities of such port and territory shall be bound to give every assistance in their power for the apprehension of such deserters, on application to that effect being made by the Consul of the Party concerned, or by the deputy or representative of the Consul; and no public body whatever shall protect or harbour such deserters.

It is further agreed and declared, that any other favour or facility with respect to the recovery of deserters, which either of the Contracting Parties has granted, or may hereafter grant, to any other State, shall be granted also to the other Contracting Party, in the same manner as if such favour or facility had been expressly stipulated by the present Treaty.

ARTICLE XI.

*Appointment and Privileges of Diplomatic and Consular Officers.—
Most-favoured-nation Treatment.*

It shall be free for each of the two Contracting Parties to appoint Consuls for the protection of trade, to reside in the dominions and territories of the other Party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the Contracting Parties may except from the residence of Consuls such particular places as either of them may judge fit to be excepted.

The Diplomatic Agents and Consuls of Her Britannic Majesty in the Republic of Peru shall enjoy whatever privileges, exemptions, and immunities, are or may be there granted to the Diplomatic Agents and Consuls of the same rank of the most favoured nation; and in like manner, the Diplomatic Agents and Consuls of the Republic of Peru in the dominions of Her Britannic Majesty shall enjoy whatever privileges, exemptions, and immunities, are or may be there granted to Agents of the same rank of the most favoured nation.

ARTICLE XII.

*Rupture of Friendly Relations.—Position of Persons and
Property.—National Treatment.*

For the better security of commerce between the subjects of Her Britannic Majesty and the citizens of the Republic of Peru, it is agreed that if, at any time, any interruption of friendly intercourse, or any rupture should unfortunately take place between the two Contracting Parties, the subjects or citizens of either of the two Contracting Parties, residing upon the coasts, shall be allowed six months, and those residing in the interior a year, to wind up their accounts, and dispose of their property: and a safe-conduct shall be given them to embark at the port which they shall themselves select. All subjects or citizens of

either of the two Contracting Parties who may be established in the dominions or territories of the other, in the exercise of any trade or special employment, shall have the privilege of remaining and continuing such trade or employment therein, without any manner of interruption, in full enjoyment of their liberty and property, as long as they behave peaceably, and commit no offence against the laws; and their goods and effects, of whatever description they may be, whether in their own custody, or intrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property belonging to native subjects or citizens. In the same case, debts between individuals, public funds, and the shares of companies, shall never be confiscated, sequestered, or detained.

ARTICLE XIII.

Protection of Persons and Property.—Liberty of Conscience.—Burials.

The subjects or citizens of either of the two Contracting Parties, residing in the dominions or territories of the other, shall continue to enjoy, as hitherto, in regard to their houses, persons, and properties, the protection of the Government.

In like manner, the subjects and citizens of each Contracting Party shall enjoy, in the dominions or territories of the other, full liberty of conscience, and shall not be molested on account of their religious belief, provided they respect the established laws and customs; and such of those subjects and citizens as may die in the territories of the other Party, shall be buried in the public cemeteries or accustomed places, with suitable decorum and respect.

ARTICLE XIV.

Wrecks and Salvage.—National Treatment.

If any ship of war or merchant-vessel of either of the Contracting Parties should be wrecked on the coasts of the other, such ship or vessel, or any parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize which shall be saved therefrom, or the produce thereof, if sold, shall be faithfully restored to the proprietors, upon being claimed by them or by their duly authorized agents; and if there are no such proprietors or agents on the spot, then the said goods and merchandize, or the proceeds thereof, as well as all the papers found on board such wrecked ship or vessel, shall be delivered to the British or Peruvian Consul in whose district the wreck may have taken place; and such Consul, proprietors, or agents, shall pay only the expenses incurred in the preservation of the property, together with the rate of salvage which would have been payable in the like case of a wreck of a national vessel. The goods and

merchandize saved from the wreck shall not be subject to duties, unless cleared for consumption.

ARTICLE XV.

Slave Trade.

The Republic of Peru engages to co-operate with Her Britannic Majesty for the total abolition of the Slave Trade, and to prohibit all persons inhabiting the territories of the Republic, or subject to its jurisdiction, in the most effectual manner, and by penal laws, from taking any share in such trade.

ARTICLE XVI.

Either Party may give Notice to Terminate Articles III to VI after Seven Years.

In order that the two Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective subjects and citizens, it is agreed that at any time after the expiration of seven years from the date of the exchange of the ratifications of the present Treaty, either of the Contracting Parties shall have the right of giving to the other Party notice of its intention to terminate Articles III, IV, V, and VI of the present Treaty; and that at the expiration of twelve months after such notice shall have been received by either Party from the other, the said Articles, and all the stipulations contained therein, shall cease to be binding on the two Contracting Parties.

ARTICLE XVII.

Ratifications.

The present Treaty shall be ratified by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and by the President of the Republic of Peru, with the authority of the Congress; and the ratifications shall be exchanged at London in two years, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at London, the tenth day of April, in the year of our Lord one thousand eight hundred and fifty.

(L.S.) PALMERSTON.

(L.S.) H. LABOUCHERE.

(L.S.) JOAQUÍN J. DE OSMA.

DECLARATION MADE BY THE BRITISH PLENIPOTENTIARY ON
THE EXCHANGE OF THE RATIFICATIONS OF THE PRECEDING
TREATY.

*Stipulations of Article X of Treaty only apply to Seamen not being
Slaves.*

WHEREAS by the second paragraph of Article X of the Treaty of Friendship, Commerce, and Navigation, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Republic of Peru, concluded and signed at London on the 10th of April, 1850, it was stipulated, that if any of the crew shall desert from the vessels of war or merchant-vessels of either Contracting Party, while such vessels are within any port in the territory of the other Party, the authorities of such port and territory shall be bound to give every assistance in their power for the apprehension of such deserters, on application to that effect being made by the Consul of the Party concerned, or by the deputy or representative of the Consul; and that no public body whatever shall protect or harbour such deserters;

And whereas the power of apprehending such deserters in the British Dominions is by law confined to seamen, not being slaves, who may desert from merchant-ships belonging to the subjects of a foreign Power;

The Undersigned, Plenipotentiary of Her Britannic Majesty, in proceeding to the exchange of the ratifications of the Treaty above mentioned, therefore declares, that the ratifications are exchanged on the understanding that the above-quoted stipulations of Article X thereof shall, in the British Dominions, be held to be applicable only to seamen, not being slaves, who may desert from merchant-ships belonging to citizens of the Republic of Peru.

(Signed) MALMESBURY.

London, October 15, 1852.

No. 134.

ACCESSION OF PERU TO INTERNATIONAL SUGAR CONVENTION
OF MARCH 5, 1902.

August 20, 1903.

Count de Lalaing to the Marquess of Lansdowne.

M. le Marquis,

Londres, le 20 Août, 1903.

EN annonçant à votre Seigneurie, sous la date du 26 Juin dernier, l'intention manifestée par le Gouvernement Péruvien

d'adhérer à la Convention des Sucres, je signalais à votre Seigneurie, d'après les instructions de mon Gouvernement, que la Commission Permanente ne serait en mesure de se prononcer sur cette demande d'accession qu'après s'être assurée si la législation Péruvienne satisfaisait aux prescriptions de l'Acte du 5 Mars, 1902.

L'examen auquel le régime fiscal des sucres au Pérou a été soumis par la Commission dans ses 14^e et 15^e séances fit constater que les sucres importés dans ce pays étaient passibles d'un droit d'entrée de 48 fr. 75 c. les 100 kilog. pour les sucres candis, et de 32 fr. 50 c. les 100 kilog. pour les autres sucres. Ces chiffres, qui, en l'absence de tout droit d'accise ou de fabrication sur les sucres nationaux, représentaient le taux de la surtaxe, dépassaient très sensiblement les limites fixées par l'Article III de la Convention.

Dans ces conditions, la Commission Permanente décida de subordonner l'admission du Pérou, au nombre des États associés, à la réduction du taux de la surtaxe aux chiffres conventionnels de 6 fr. et de 5 fr. 50 c. par 100 kilog., et elle fixa à 21 fr. et à 13 fr. les droits compensateurs à appliquer éventuellement, en vertu de l'Article IV de la Convention, aux sucres Péruviens qui seraient importés dans les pays contractants.

Mis aussitôt au courant de cette situation par les soins du Gouvernement du Roi, le Ministre du Pérou à Paris s'empressa d'en faire part à son Gouvernement, qui soumit sans retard à l'approbation du Congrès National les modifications de la législation Péruvienne réclamées par la Commission Permanente.

Or, d'après une communication de son Excellence M. Candamo, le Congrès Péruvien, adoptant les propositions du Gouvernement, a voté une loi ramenant aux chiffres fixés par l'Article III de la Convention le taux de la surtaxe sur les sucres au Pérou.

Rien ne s'opposant plus, dès lors, à l'admission du Pérou parmi les États faisant partie de l'Union Sucrière, l'accession de ce pays à la Convention du 5 Mars, 1902, peut être considérée comme définitivement acquise à partir du 1^{er} Septembre prochain.

Je suis chargé, M. le Marquis, conformément à l'Article IX de la Convention de Bruxelles, de faire cette notification au Gouvernement Britannique.

Veillez, &c.
(Signé) LALAING.

PORTUGAL.

No. 135.

DECLARATION BETWEEN GREAT BRITAIN AND PORTUGAL FOR THE
PROTECTION OF TRADE-MARKS.*Signed at London, January, 6, 1880.**

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Portugal and the Algarves, with a view to the reciprocal protection of trade-marks and trade labels, as well as industrial designs and patterns in the two countries, have agreed as follows:—

The subjects of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as belong to native subjects, or as are now granted, or may hereafter be granted, to the subjects of the most favoured nation, in everything relating to property in trade-marks and trade labels, as well as in industrial designs and patterns.

It is understood that any person who desires to obtain the aforesaid protection must fulfil the formalities required by the laws of the respective countries.

In witness whereof the Undersigned, duly authorized to that effect, have signed the present Declaration, and have affixed thereto the seal of their arms.

Done at London, in duplicate, the sixth day of January, 1880.

(L.S.) SALISBURY.

(L.S.) MIGUEL MARTINS D'ANTAS.

No. 136.

EXCHANGE OF NOTES BETWEEN GREAT BRITAIN AND PORTUGAL
AS TO THE RECIPROCAL PROTECTION OF TRADE-MARKS IN CHINA.*August 4, 1904.*

(No. 1.)

Mr. Cartwright to Senhor de Lima.

Your Excellency,

Lisbon, August 4, 1904.

UNDER an Order in Council of the 2nd February, 1899, it is open to a foreigner whose trade-mark has been infringed by a

* Signed also in Portuguese.

British subject in China to take proceedings against the latter in the British Consular Court, provided—

1. That the consent, in writing, of His Majesty's Minister or Chargé d'Affaires be obtained to the prosecution; but

2. Such consent may be withheld unless His Majesty's Minister or Chargé d'Affaires is satisfied that effectual provision exists for the punishment in Consular or other Courts in China of similar acts committed by the subjects of the State or Power of which such prosecutor is a subject.

By correspondence with the French, German, and Italian Representatives in London, it has been ascertained that provision exists for the punishment in the Consular Courts of France, Germany, and Italy in China of subjects of those countries, should they infringe British trade-marks, and the necessary information has been given to His Majesty's Representative at Peking, and to the Representatives there of the three countries mentioned, to enable them to carry out the arrangements desired by their Governments for the mutual protection of their trade-marks.

I have the honour to inform your Excellency that, in communicating the above to you, I have been instructed by the Marquess of Lansdowne to inquire whether the Portuguese Government would be disposed to conclude a similar arrangement with His Majesty's Government.

I avail, &c.,

(Signed) FAIRFAX L. CARTWRIGHT.

(No. 2.)

Senhor de Lima to Mr. Cartwright.

(Translation.) *Lisbon, August 8, 1904.*

I AM in receipt of the note by which you communicate to me the desire of the Marquess of Lansdowne to know whether the Portuguese Government would be disposed to conclude an arrangement with His Britannic Majesty's Government in the sense of assuring mutual protection for Portuguese and British trade-marks in China.

In reply, I have the honour to inform you that the Portuguese Government have no objection in concluding the proposed arrangement in such a manner that, on the date which may be fixed by exchange of notes, both Governments shall transmit instructions to their Diplomatic Representatives at Peking, for the purpose of bringing into effect, before the Portuguese Consular Courts, offences for infringement by Portuguese subjects of British trade-marks duly registered in Portugal, and, reciprocally, before the British Consular Courts, offences for infringement by British subjects of Portuguese trade-marks, duly registered in the United Kingdom, in conformity with the International Convention of the 20th March, 1883.

I avail, &c.,

(Signed) WENCESLAU DE LIMA.

ROUMANIA.

No. 137.

CONVENTION BETWEEN GREAT BRITAIN AND ROUMANIA RELATIVE
TO TRADE-MARKS.*Signed at Bucharest, May 4, 1892.***[Ratifications exchanged at Bucharest, June 3, 1892.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the King of Roumania, desiring to conclude a Convention for the reciprocal protection of trade-marks and designs, have appointed as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Arthur George Vansittart, Esq., Her Britannic Majesty's Chargé d'Affaires at Bucharest, &c., &c.; and

His Majesty the King of Roumania, M. Alexandre N. Lahovary, Grand Cross of his Order of the Crown of Roumania, &c., &c., his Minister Secretary of State for Foreign Affairs;

Who, having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Protection of Trade-marks, &c.—National and Most-favoured-nation Treatment.

The subjects of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as are now granted, or may hereafter be granted, to native subjects, or to subjects of the most favoured nation, in all that relates to trade-marks, industrial designs, and patterns.

In order that such rights may be obtained, the formalities required by the laws of the respective countries must be fulfilled.

ARTICLE II.

Application of Convention to certain British Colonies, &c.

The stipulations of the present Convention shall be applicable to all the Colonies and foreign possessions of Her Britannic

* Signed also in Roumanian.

Majesty, excepting to those hereinafter named, that is to say, except to—

India.	Victoria.
The Dominion of Canada.	Queensland.
Newfoundland.	Tasmania.
The Cape of Good Hope.	South Australia.
Natal.	Western Australia.
New South Wales.	New Zealand.

Provided always that the stipulations of the present Convention shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative to the King of Roumania within one year from the date of the exchange of ratifications of the present Convention.

ARTICLE III.

Ratifications.

The present Convention shall be ratified, and the ratifications shall be exchanged at Bucharest as soon as possible.

Duration of Treaty.

It shall come into operation one month after the exchange of ratifications, and shall remain in force until the expiration of one year from the day on which either party may give notice of its intention to terminate it.

In witness whereof the Undersigned have signed the same, and have affixed thereto the seal of their arms.

Done in duplicate at Bucharest, the fourth day of May (22nd day of April), one thousand eight hundred and ninety-two.

(Signed)

(L.S.) ARTHUR GEORGE VANSITTART.
(L.S.) AL. LAHOVARY.

LIST OF BRITISH COLONIES WHICH HAVE ACCEDED TO THE ABOVE CONVENTION UNDER ARTICLE II:

1. India November 4, 1892.
2. Natal November 4, 1892.
3. Cape of Good Hope November 4, 1892.
4. Queensland November 16, 1892.
5. Newfoundland ... November 28, 1892.
6. Western Australia December 3, 1892.
7. Canada July 25, 1893.

THE FOLLOWING COLONIES HAVE NOT ACCEDED TO THE CONVENTION :

- | | |
|---------------------|-----------------|
| 1. South Australia. | 4. Tasmania. |
| 2. Victoria. | 5. New Zealand. |
| 3. New South Wales. | |

No. 138.

CONVENTION BETWEEN GREAT BRITAIN AND ROUMANIA RESPECTING
FALSE INDICATIONS OF ORIGIN ON GOODS.

*Signed at Bucharest, ^{March 20}
^{April 1}, 1893.**

[Ratifications exchanged at Bucharest, March $\frac{1}{3}$, 1894.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the King of Roumania, being mutually desirous of concluding a Convention relating to the suppression of false indications of origin on goods, have named as their respective Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Honourable Charles Hardinge, Her Britannic Majesty's Chargé d'Affaires at Bucharest, &c., &c., &c. ;

And His Majesty the King of Roumania, M. Alexandre N. Lahovari, Grand Cross of the Royal Order of the Crown of Roumania, &c., &c., &c., his Minister Secretary of State for Foreign Affairs ;

Who, having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles :—

ARTICLE I.

Seizure of Goods Bearing False Indications of Origin.—National Treatment.

All goods bearing a false indication of origin, in which one of the Contracting States or a place situated in one of them shall be directly or indirectly indicated as being the country or place of origin, shall be seized on importation into either of the two States.

The seizure may also be effected in the State where the false indication of origin has been applied, or in that into

* Signed also in Roumanian.

which the goods bearing the false indication may have been imported.

If the legislation of either of the two States does not sanction seizure on importation, such seizure shall be replaced by prohibition of importation.

If the legislation of either of the two States does not permit seizure in the interior, such seizure shall be replaced by the remedies assured in such case to natives by the law of that State.

ARTICLE II.

Procedure in Seizure of Goods.

The seizure shall be effected either at the request of the proper Government Department, or of an interested party, whether individual or Society, in conformity with the domestic legislation of each State.

ARTICLE III.

Seizure of Goods in Transit.

The authorities are not bound to effect the seizure of goods in transit.

ARTICLE IV.

Name and Address of Vendor on Goods.

The present stipulations do not prevent the vendor from putting his name or address upon goods coming from a country other than that where the sale takes place; but in such case the name or address must be accompanied by a clear indication in legible characters of the country or of the place of manufacture or production.

ARTICLE V.

Goods not Falling within the Provisions of this Convention.

The Tribunals of each country shall decide what appellations, on account of their generic character, do not fall within the provisions of the present Convention; regional appellations concerning the origin of products of the vine being, however, not comprised in the reserve provided for by the present Article.

ARTICLE VI.

Application of Convention to British Colonies, &c.

The stipulations of the present Convention shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty, excepting to those hereinafter named, that is to say, except to—

India.	Victoria.
The Dominion of Canada.	Queensland.
Newfoundland.	Tasmania.
The Cape of Good Hope.	South Australia.
Natal.	Western Australia.
New South Wales.	New Zealand.

Provided always that the stipulations of the present Convention shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative at the Court of His Majesty the King of Roumania within one year from the date of the exchange of ratifications of the present Convention.

ARTICLE VII.

Ratifications.

The present Convention shall be ratified, and the ratifications shall be exchanged at Bucharest as soon as possible.

Duration of Convention.

It shall come into operation one month after the exchange of ratifications, and shall remain in force until the expiration of one year from the day on which either of the two High Contracting Parties may give notice of its intention to terminate the same.

In witness whereof the Undersigned have signed the same, and have affixed thereto the seal of their arms.

Done in duplicate at Bucharest, the first day of April (the twentieth day of March), in the year of our Lord one thousand eight hundred and ninety-three.

(L.S.) CHARLES HARDINGE.
(L.S.) AL. LAHOVARI.

LIST OF BRITISH COLONIES WHICH HAVE ACCEDED TO THE ABOVE CONVENTION UNDER ARTICLE VI :

- | | |
|--------------------|--------------------|
| 1. Newfoundland | August 10, 1894. |
| 2. Victoria | August 27, 1894. |
| 3. Queensland | September 9, 1894. |
| 4. South Australia | September 9, 1894. |

THE FOLLOWING BRITISH COLONIES AND FOREIGN POSSESSIONS HAVE NOT ACCEDED TO THE CONVENTION :

- | | |
|-----------------------|---------------------------|
| 1. India. | 5. The Cape of Good Hope. |
| 2. Tasmania. | 6. Natal. |
| 3. Western Australia. | 7. Canada. |
| 4. New Zealand. | 8. New South Wales. |

No. 139.

TREATY OF COMMERCE AND NAVIGATION BETWEEN GREAT
BRITAIN AND ROUMANIA.

*Signed at Bucharest, October 31, 1905.**

[Ratifications exchanged at Bucharest, March 17, 1906.]

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the King of Roumania, being desirous to extend and facilitate the relations of commerce already existing between the two Countries, have determined to conclude a new Treaty with this object, and have appointed as their Plenipotentiaries, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India;

Sir John Gordon Kennedy, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Roumania, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George;

Hubert Llewellyn Smith, Esquire, Comptroller-General of the Commercial, Labour, and Statistical Department of the Board of Trade, Companion of the Most Honourable Order of the Bath;

And John Francis Charles, Count de Salis, a First Secretary in His Britannic Majesty's Diplomatic Service;

And His Majesty the King of Roumania;

General Jacob Lahovary, his Minister for Foreign Affairs, Grand Cross of the Order of the Crown of Roumania, Grand Officer of the Order of the Star of Roumania, &c.;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Freedom of Commerce and Navigation.—National Treatment.

There shall be between the territories of the two Contracting Parties reciprocal freedom of commerce and navigation.

The subjects of each of the two Contracting Parties shall have liberty freely to come, with their ships and cargoes, to all places and ports in the territories of the other to which native subjects are or may be permitted to come, and shall enjoy the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation as are or may be enjoyed by native subjects.

* Signed also in Roumanian.

Taxes, &c.—National and Most-favoured-nation Treatment.

The subjects of each of the Contracting Parties shall not be subject in respect of their persons or property, or in respect of their commerce or industry, to any taxes, whether general or local, or to imposts or obligations of any kind whatever, other or greater than those which are or may be imposed upon native subjects, or subjects or citizens of the most favoured nation.

ARTICLE II.

Commerce, Navigation, Industry.—Most-favoured-nation Treatment.

The Contracting Parties agree that, in all matters relating to commerce, navigation, and industry, any privilege, favour, or immunity which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other foreign State, shall be extended immediately and unconditionally to the subjects of the other; it being their intention that the commerce, navigation, and industry of each country shall be placed, in all respects, on the footing of the most favoured nation.

ARTICLE III.

Acquisition and Disposal of Property.—National Treatment.

The subjects of each of the Contracting Parties in the territories of the other, shall be at full liberty to acquire and possess every description of property, movable and immovable, which the laws of the Country permit or shall permit the subjects or citizens of any other foreign Country to acquire and possess. They may dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, or acquire the same by inheritance under the same conditions which are or shall be established with regard to the subjects or citizens of any other foreign Country. They shall not be subjected in any of the cases mentioned to any taxes, imposts, or charges of whatever denomination other or higher than those which are or shall be applicable to native subjects.

Exportation of Produce of Property.—National Treatment.

The subjects of each of the Contracting Parties shall also be permitted, on compliance with the laws of the country, freely to export the proceeds of the sale of their property and their goods in general, without being subjected as foreigners to other or higher duties than those to which subjects of the country would be liable under similar circumstances.

Administration of Justice.—National Treatment.

They shall, on compliance with the laws of the country, have free access to the Courts of Justice, either for the prosecution or for the defence of their rights, and in this respect

they shall enjoy all privileges and immunities of native subjects; and in the same manner as these they shall be at liberty to employ in all causes advocates and agents of all kinds, authorized by the laws of the country.

ARTICLE IV.

Exemption from Military Service, Municipal Functions, Forced Loans, &c.—Most-favoured-nation Treatment.

The subjects of each of the Contracting Parties in the territories of the other shall be exempted from all compulsory military service whatever, whether in the army, navy, national guard, or militia. They shall be equally exempted from all judicial, administrative, and municipal functions whatever, other than those imposed by the laws relating to juries and guardianship, as well as from all contributions, whether pecuniary or in kind, imposed as an equivalent for personal service, and finally from any military exaction or requisition. The charges connected with the possession, by any title, of landed property are however excepted, as well as compulsory billeting, and other special military exactions or requisitions, to which all subjects of the country may be liable as owners or occupiers of real property.

In the above respects the subjects of each of the Contracting Parties shall not be accorded, in the territories of the other, less favourable treatment than that which is or may be accorded to subjects or citizens of the most favoured nation.

ARTICLE V.

Imports: Duties and Prohibitions.—Most-favoured-nation Treatment.

The articles, the produce or manufacture of one of the Contracting Parties, imported into the territories of the other, from whatever place arriving, shall not be subjected to other or higher duties or charges than those paid on the like articles, the produce or manufacture of any other foreign Country. Nor shall any prohibition or restriction be maintained or imposed on the importation of any article, the produce or manufacture of either of the Contracting Parties into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other foreign Country.

The only exceptions to this general rule shall be in the case of the sanitary or other prohibitions occasioned by the necessity of securing the safety of persons or of cattle, or of plants useful to agriculture, and of the measures applicable in either of the two countries to articles enjoying a direct or indirect bounty in the other.

The merchandize, the produce or manufacture of the United Kingdom enumerated in the Tariff annexed to this Treaty, shall not, on importation into Roumania, be subjected to higher or other duties than those mentioned in the said Tariff.

ARTICLE VI.

Exports: Duties and Prohibitions.—Most-favoured-nation Treatment.

The articles, the produce or manufacture of one of the Contracting Parties, exported to the territories of the other, shall not be subjected to other or higher charges than those paid on the like articles exported to another foreign Country. Nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like article to any other foreign Country.

ARTICLE VII.

Exemption from Transit Duties.

Merchandise of all kinds, the produce or manufacture of one of the Contracting Parties, passing in transit through the territories of the other shall be reciprocally free from all transit duties, whether they pass direct or whether during transit they are unloaded, warehoused, and reloaded.

ARTICLE VIII.

Internal Duties on Goods.—National Treatment.

No internal duties levied for the benefit of the State, local authorities, or corporations, which affect or may affect the production, manufacture, or consumption of any article in the territories of either of the Contracting Parties, shall for any reason be a higher or more burdensome charge on articles the produce or manufacture of the other than on similar articles of native origin.

The produce or manufacture of either of the Contracting Parties, imported into the territories of the other, and intended for warehousing or transit, shall not be subjected to any internal duty.

ARTICLE IX.

Exports and Imports in Vessels of either Country.—National Treatment.

Each of the Contracting Parties shall permit the importation or exportation on the vessels of the other of all merchandize which may be legally imported or exported; and such vessels and their cargoes shall enjoy the same privileges and shall not be subjected to any other or higher duties or charges than national vessels and their cargoes.

ARTICLE X.

Fisheries and Coasting Trade.—Most-favoured-nation Treatment.

The provisions of this Treaty relating to the mutual concession of national treatment in matters of navigation do not apply to fisheries or to the coasting trade, in respect of which the subjects and vessels of the Contracting Parties shall enjoy most-favoured-nation treatment.

British and Roumanian vessels may nevertheless proceed from

one port to another either for the purpose of discharging the whole or part of their cargoes brought from abroad, or of taking on board the whole or part of their cargoes for a foreign destination.

ARTICLE XI.

Stationing, Loading and Unloading of Vessels.—National Treatment.

In all that regards the stationing, loading, and unloading of vessels in the ports, docks, roadsteads, and harbours of the territories of the Contracting Parties, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other Country; the intention of the Contracting Parties being that, in this respect also, their vessels shall be treated on the footing of perfect equality.

ARTICLE XII.

Tonnage, Harbour, Pilotage, Lighthouse, Quarantine, &c., Dues.—National Treatment.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other analogous duties of whatever nature, or under whatever denomination, levied in the name or for the profit of the Government, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the territories of either of the Contracting Parties upon the vessels of the other Country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general. Such equality of treatment shall apply to the respective vessels, from whatever port or place they may arrive, and whatever may be their destination.

ARTICLE XIII.

Vessels in Distress.

Any merchant-vessel of either of the Contracting Parties, which may be compelled by stress of weather or by accident to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

Wrecks.—National Treatment.

If any vessel of one of the Contracting Parties should run aground or be wrecked upon the coasts of the other, such vessel shall enjoy, both as regards the hull and the cargo, the privileges and immunities which the legislation of each of the Countries accords to its own vessels in similar circumstances. Every assist-

ance shall be afforded to the master and the crew, both as regards their persons and the vessel and its cargo.

Salvage.—National Treatment.

Salvage operations shall take place in conformity with the laws of the Country. Nevertheless, the respective Consuls or Consular Agents shall be allowed to superintend the operations relative to repair or revictualling, or the sale, if necessary, of the vessels run aground or wrecked on the coast.

Everything saved from the vessel and cargo, or the proceeds of their sale, shall be restored to the owners or their agents, and no expenses of salvage shall be paid higher than those to which native subjects would be subject in similar cases.

The Contracting Parties agree, moreover, that merchandize saved shall not be subjected to the payment of any customs duty unless destined for internal consumption.

ARTICLE XIV.

National Vessels.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to Roumanian law, are to be deemed Roumanian vessels, shall, for the purposes of this Treaty, be deemed British or Roumanian vessels respectively.

ARTICLE XV.

Seamen Deserters.

The Consuls and Consular Agents of each of the Contracting Parties, residing in the territories of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective Countries.

ARTICLE XVI.

Modifications of Treaty.

The Contracting Parties reserve to themselves the right of introducing into the present Treaty subsequently and by common accord such modifications as may be deemed to be in conformity with its spirit and principles, and the desirability of which may have been proved by experience.

ARTICLE XVII.

Accessions of British Colonies.

The stipulations of the present Treaty shall not be applicable to any of His Britannic Majesty's Colonies, Possessions, or Protectorates beyond the Seas unless notice of adhesion shall have been given, on behalf of any such Colony, Possession, or Protectorate by His Britannic Majesty's Representative at the

Court of His Majesty the King of Roumania, before the expiration of one year from the date of the exchange of the ratifications of the present Treaty.

British Colonial Produce.—Most-favoured-nation Treatment.

Nevertheless, the goods produced or manufactured in any of His Britannic Majesty's Colonies, Possessions, and Protectorates shall enjoy in Roumania complete and unconditional most-favoured-nation treatment, so long as such Colony, Possession, or Protectorate shall accord to goods the produce or manufacture of Roumania treatment as favourable as it gives to the produce or manufacture of any other foreign country. In such cases the Colony, Possession, or Protectorate concerned shall communicate its intention in accordance with the procedure mentioned above.

ARTICLE XVIII.

Ratifications, Coming into Force, and Duration of Treaty.

The present Treaty shall be ratified, and the ratifications shall be exchanged at Bucharest as soon as possible.

It shall come into force at a date to be agreed upon, which shall not be later than the 16th February (1st March), 1906; from the date of its coming into force, the Convention of the 1st (13th) August, 1892, shall cease to have effect.

The present Treaty shall be binding during four years from the day of its coming into force. In case neither of the Contracting Parties shall have given notice to the other twelve months before the expiration of the said period of four years of the intention to terminate the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have denounced it.

As regards, however, the British Colonies, Possessions, and Protectorates which may have adhered to the present Treaty in virtue of Article XVII, either of the Contracting Parties shall have the right to terminate it separately at any time on giving twelve months' notice to that effect.

It is understood that the stipulations of the present and of the preceding Article referring to British Colonies, Possessions, or Protectorates apply also to the Island of Cyprus.

In witness whereof the respective Plenipotentiaries have signed the present Treaty, and have affixed thereto their seals.

Done at Bucharest, 31 October, 1905.

(L.S.) J. G. KENNEDY.

(L.S.) H. LLEWELLYN SMITH.

(L.S.) J. DE SALIS.

(L.S.) General J. LAHOVARY.

TARIFF.

The Roumanian General Tariff referred to in the present Schedule is the Customs Tariff voted by the Chamber of Deputies in its sitting of the 19th April 2nd May, 1904, and by the Senate in its sitting of the 18th April 1st May, 1904.

In so far as the duty leviable on an article depends on the duty on another article referred to in the present Schedule, the former duty shall be calculated according to the rate granted by the Treaty and not according to the rate of duty in the Roumanian General Tariff.

Number in General Tariff.	Description of Article.	Unit of Weight.	Duty in Lei.
68	Transmission belts, flat or round ...	100 kls	150,—
102	Tissues and stuffs of wool, weighing from 600 grammes to 400 grammes per square metre	"	175,—
108	Carpets of wool of any form, with or without the warp of any other textile material, with the exception of the oriental carpets mentioned in Nos. 106 and 107, whether or not cut, hemmed, or combined :		
	(a.) With cut pile ("tondus") ...	"	100,—
	(b.) With uncut pile ("bouclés")	"	120,—
190	Fine biscuits ("pâtisserie") for dessert or tea	"	40,—
207	Tea of all qualities ...	"	75,—
324	Single yarns of jute, abaca, phormium tenax, lime bark, raphia, and other vegetable textile materials not specially mentioned, unbleached, undyed, measuring per kilogramme :		
	(a.) Up to 4,000 metres ...	"	8,—
	(b.) From 4,000 metres to 7,500 metres	"	12,—
	(c.) Over 7,500 metres...	"	25,—
325	The same, bleached or dyed ...	"	Duties on unbleached, with an addition of 5 lei.
ex 333	Cotton yarn, single, unbleached, undyed, measuring per kilogramme :		
	(a.) 41,000 metres or less ...	"	12,—
	(b.) From 41,000 metres to 55,000 metres	"	20,—
	(c.) From 55,000 metres to 81,000 metres	"	30,—
	(d.) From 81,000 metres to 121,000 metres	"	50,—

Number in General Tariff.	Description of Article.	Unit of Weight.	Duty in Lei.
334	The same, bleached	100 kgs.	Duty on the unbleached yarns according to class, with an addition of 20 per cent.
335	The same, dyed or printed	"	Duty on the unbleached yarns according to class, with an addition of 50 per cent.
336	The same, mercerised	"	Duty on the unbleached yarns according to class, with an addition of 60 per cent.
337	Cotton yarn, of two or more threads, single twist	"	Duty on the single threads of which composed, with an addition of 8 lei.
338	Cotton yarn, of four or more threads, multiple twist	"	Duty on the single threads of which composed with an addition of 16 lei.
339	Cotton thread prepared for sewing, in balls, on cards or reels, or in any other form for retail sale, undyed	"	50,—
340	The same, mercerised, dyed	"	60,—
ex 350	Tissues of jute, unbleached, undyed, having in warp and weft together in a square of 2 centimetres : (a.) Up to 36 single threads, whether or not with coloured stripes and checks (d.) Carpets and mats of jute, cocoa fibre, and other similar textile materials not specially mentioned, whether dyed or printed or not	" " "	8,— 60,—
358	Cotton tissues of all kinds, except those specially mentioned, unbleached, undyed, weighing over 180 grammes per square metre : (a.) Having in warp and weft together up to 35 threads per square centimetre (b.) Having 36 to 55 threads per square centimetre (c.) Having more than 55 threads per square centimetre	" " " "	55,— 65,— 100,—

Number in General Tariff.	Description of Article.	Unit of Weight.	Duty in Lei.
ex 359	Cotton tissues of all kinds, except those specially mentioned, unbleached, undyed, weighing from 180 to 100 grammes per square metre :		
	(b.) Having from 41 to 70 threads per square centimetre	100 klg.	75,—
	(c.) Having more than 70 threads per square centimetre	"	120,—
ex 360	Cotton tissues of all kinds, except those specially mentioned, unbleached, undyed, weighing from 100 to 70 grammes per square metre :		
	(c.) Having more than 80 threads per square centimetre	"	130,—
362	Tissues mentioned in Nos. 358 to 361, bleached	"	Duty on unbleached tissues according to class, with an addition of 20 per cent.
363	The same dyed in one colour ...	"	Duty on unbleached tissues according to class, with an addition of 20 per cent.
364	The same printed or dyed in two or more colours	"	Duty on unbleached tissues according to class, with an addition of 20 per cent.
ex 368	Tulles for curtains, bed-spreads, furniture covers, &c., common, <i>i.e.</i> , with straight warp :		
	(a) Having up to 4 threads per centimetre of width	"	100,—
369	Tulles and guipures for curtains, bed-spreads, furniture covers, &c., fine, <i>i.e.</i> , with mesh of network, with designs, with combinations of spots	"	300,—
ex 371	Tulles, properly so called, of any vegetable textile material, without designs, and having in 1 centimetre of width or length :		
	(a.) Less than seven meshes ...	"	350,—
ex 381	Lace of all kinds of vegetable textile materials, whether or not combined one with another, of any width, by measure or by the piece :		
	(a.) Machine made ...	"	400,—
383	Bags of jute manufactured of the tissues mentioned in No. 350 A	"	Duty on the tissue with an addition of 1 leu.

Number in General Tariff.	Description of Article.	Unit of Weight.	Duty in Lei.
443	NOTE 2.—Catalogues and price lists, illustrated or not, either in Roumanian or foreign languages, whether or not in boards or bound, are free of duty.		
ex 579	Coal and coke	100 kgs.	0,20
ex 590	Sheets and plates of iron, corrugated or not, rolled, without other preparation, having a thickness of : (b.) From 2 mm. to $\frac{1}{2}$ mm. ... (c.) Less than $\frac{1}{2}$ mm. ...	" "	5,— 6,—
591	The same, tinned, galvanized, or coated with lead, copper or brass, polished, having a thickness of : (a) 1 mm. or more ... (b.) From 1 mm. to $\frac{1}{2}$ mm. ... (c.) Less than $\frac{1}{2}$ mm. ...	" "	7,— 7,50 8,—
ex 622	Safes and strong boxes, with or without fireproof material, painted or ornamented : (a.) Weighing 300 kilog. and over, each	" gross weight	25,—
784	Caustic soda	100 kgs.	0,50
786	Oxide and peroxide of barium, oxide of antimony, oxide and all other salts of cobalt, and all other mineral oxides	"	25,—
ex 788	Carbonate of soda, crystallized or calcined	"	0,50
845	Oil and siccative varnishes, coloured or not	"	50,—
846	Alcoholic varnishes, coloured or not	"	60,—
847	Prepared varnish, without vegetable oil or alcohol, coloured or not, such as asphalt varnish, turpentine varnish, petroleum varnish, and varnish for harness and paper	"	40,—

Annex 1.

*General Lahovary to Sir Conyngham Greene.*M. le Ministre, *Bucharest, le 6 (19) Février, 1906.*

PAR la Loi promulguée le 1^{er} (14) de ce mois au "Moniteur Officiel" les taxes sur les fils de coton ont été réduites dans le Tarif Douanier comme suit :—

No. 333. Fils de coton à un seul bout, écrus, non teints, 5 lei.

No. 334. Les mêmes, blanchis, 8 lei.

No. 335. Les mêmes, teints ou imprimés, 18 lei.

No. 336. Les mêmes, mercerisés, 20 lei.

Conformément au procès-verbal No. 7 du 18 (31) Octobre dernier, signé par les Délégués Britanniques et Roumains lors de la conclusion de la nouvelle Convention de Commerce entre la Grande-Bretagne et l'Irlande et la Roumanie, j'ai l'honneur de prier votre Excellence de bien vouloir prendre acte que nous considérons ces nouvelles taxes comme consolidées pour la durée du nouveau Traité, et comme faisant partie intégrante du Tableau tarifaire annexé au dit Traité.

Je saisis, &c.

(Signé) Général LAHOVARY.

Annex 2.

*Sir Conyngham Greene to General Lahovary.*M. le Ministre, *Bucharest, February 6 (19), 1906.*

I HAVE the honour to acknowledge the receipt of the note of to-day's date, by which your Excellency informs me that the duties imposed on different categories of cotton yarns under Articles 333, 334, 335, and 336 of the new Customs Tariff have been reduced, by a Law promulgated on the 1st (14th) instant, to 5, 8, 18, and 20 lei respectively; and that, in virtue of the *procès-verbal* signed between the British and Roumanian Delegates at the time of the conclusion of the Treaty of Commerce and Navigation between Great Britain and Roumania on the 31st October last, these reduced duties are considered as being consolidated for the time of the duration of the Treaty and as forming an integral part of the Tariff thereto annexed.

In taking act of your Excellency's communication, I avail, &c.

(Signed) CONYNGHAM GREENE.

DECLARATION.

At the time of signing the Treaty of Commerce concluded this day, the Undersigned have agreed as follows :—

Privileges of Adjoining States.

Nothing contained in the Treaty signed this day shall be held to derogate from the special Laws, Ordinances, and Regulations relating to matters of police and public security, or to the encouragement of national industry, in force in either of the Contracting States and applicable to all foreigners alike; or from the reservation in favour of native subjects of the exercise of certain trades or professions in conformity with the laws of the two countries; or from the favours which may be accorded to adjoining States to facilitate local traffic within a zone not exceeding 15 kilom. broad on each side of the frontier.

Commercial Travellers.—Most-favoured-nation Treatment.

The provisions of this Treaty for the mutual concession of most-favoured-nation treatment apply fully to the treatment of commercial travellers and their samples.

Certificates Granted by British Chambers of Commerce to Commercial Travellers.

It is agreed that the Chambers of Commerce of the United Kingdom shall be recognized in Roumania as competent authorities for granting the certificates required for commercial travellers of the United Kingdom.

Privileges of Roumanians in India.

It is agreed that, in the event of the Government of India adhering to the present Treaty, Roumanian subjects in India, including the territories under British suzerainty, shall not be accorded any other or greater rights or privileges than those enjoyed by European British subjects.

J. G. KENNEDY.

H. LLEWELLYN SMITH.

J. DE SALIS.

General J. LAHOVARY.

LIST OF BRITISH COLONIES WHICH HAVE ACCEDED TO THE ABOVE CONVENTION UNDER ARTICLE XVII:

British Honduras.	St. Helena.
Ceylon.	Seychelles.
Cyprus.	Sierra Leone.
Gold Coast.	Somaliland.
Hong Kong.	Southern Nigeria.
Leeward Islands.	Straits Settlements.
Malta.	Uganda.
Northern Nigeria.	Wei-hai-wei.

RUSSIA.

No. 140.

TREATY OF COMMERCE AND NAVIGATION BETWEEN GREAT BRITAIN
AND RUSSIA; WITH THREE SEPARATE ARTICLES THEREUNTO
ANNEXED.

*Signed at St. Petersburg, January 12, 1859.**

[*Ratifications exchanged at London, February 1, 1859.*]

In the Name of the Most Holy and Indivisible Trinity.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of all the Russias, being desirous of extending and facilitating the relations of commerce between their respective dominions and subjects, have resolved to conclude a Treaty for that purpose, and have named as their respective Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir John Fiennes Crampton, Baronet of the United Kingdom, Knight Commander of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of All the Russias;

And His Majesty the Emperor of All the Russias, Prince Alexander Gortchacow, his actual Privy Councillor and Minister for Foreign Affairs, Knight of the Orders of Russia and of St. Vladimir of the First Class, Grand Cross of the Legion of Honour of France, of the Golden Fleece of Spain, of St. Stephen of Hungary, of the Black Eagle and of the Red Eagle of Prussia, of Ferdinand and of Merit of Naples, of the Crown of Wurtemberg, of the Elephant and of the Danebrog of Denmark, of St. Hubert of Bavaria, of Fidelity and of the Lion of Zähringen of Baden, of the Guelfs of Hanover, of Louis of Hesse-Darmstadt, of the Crown of Saxony, of Ernest of Saxe-Altenburg, of the White Falcon of Saxe-Weimar, of Leopold of Belgium, of the Saviour of Greece, of St. Joseph of Tuscany, of the Pianum, of the Medjidié of Turkey, decorated with the portrait of the Shah of Persia, of the First Class, adorned with diamonds;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:—

* Signed also in French.

ARTICLE I.

Freedom of Commerce and Navigation.—National Treatment.

There shall be between all the dominions and possessions of the two High Contracting Parties, reciprocal freedom of commerce and navigation. The subjects of each of the two Contracting Parties, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the dominions and possessions of the other, to which other foreigners are or may be permitted to come; and shall, throughout the whole extent of the dominions and possessions of the other, enjoy the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation, which are or may be enjoyed by native subjects generally.

It is understood, however, that the preceding stipulations in no wise affect the laws, decrees, and special regulations regarding commerce, industry, and police, in vigour in each of the two countries, and generally applicable to all foreigners.

ARTICLE II.

Imports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty, of any article the growth, produce, or manufacture of the dominions and possessions of His Majesty the Emperor of All the Russias, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of all the Russias, of any article the growth, produce, or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than are or shall be payable on the like article, the growth, produce, or manufacture of any other foreign country.

Nor shall any prohibition be imposed on the importation of any article the growth, produce, or manufacture of the dominions and possessions of either of the two Contracting Parties into the dominions and possessions of the other, which shall not equally extend to the importation of the like articles being the growth, produce, or manufacture of any other country.

ARTICLE III.

Exports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the Contracting Parties, on the exportation of any article to the dominions and possessions of the other, than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor

shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country,

ARTICLE IV.

Warehousing, Transit Trade, Bounties, and Drawbacks.—Most-favoured-nation Treatment.

The same reciprocal equality of treatment shall take effect in regard to warehousing, and to the transit trade, and also in regard to bounties, facilities, and drawbacks, which are or may be hereafter granted by the legislation of either country.

ARTICLE V.

Imports in Vessels of either Country.—National Treatment.

All merchandize and articles of commerce, the produce or manufacture either of the dominions and possessions of His Majesty the Emperor of all the Russias, or of any other country, which are or may be legally importable into the ports of the United Kingdom of Great Britain and Ireland, its dominions and possessions, in British vessels, may likewise be imported into those ports in Russian vessels, without being liable to any other or higher duties, of whatever denomination, than if such merchandize and articles were imported in British vessels; and reciprocally, all merchandize and articles of commerce, the produce or manufacture either of the United Kingdom of Great Britain and Ireland, its dominions and possessions, or of any other country, which are or may be legally importable into the ports of the dominions and possessions of His Majesty the Emperor of all the Russias, in Russian vessels, may likewise be imported into those ports in British vessels, without being liable to any other or higher duties, of whatever denomination, than if such merchandize and articles were imported in Russian vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such merchandize and articles come directly from the place of origin, or from any other place.

Exports in Vessels of either Country.—Bounties and Drawbacks.—National Treatment.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions and possessions of either of the High Contracting Parties, on the exportation of any article which is or may be legally exportable therefrom, without distinction, whether such exportation shall take place in Russian or in British vessels, and

whatever may be the place of destination, whether a port of the other Contracting Party, or of any third Power.

ARTICLE VI.

Tonnage, Harbour, Pilotage, Lighthouse, Quarantine, &c., Dues.—National Treatment.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general; the intention of the two High Contracting Parties being that, save certain exemptions which the shipping of some ports of the United Kingdom of Great Britain and Ireland enjoys from old times, in this respect there shall not exist in their respective dominions and possessions, in regard to the above-mentioned duties, any privilege or preference whatever favouring the national flag to the prejudice of the flag of the other Party. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE VII.

Stationing, Loading, and Unloading of Vessels.—National Treatment.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE VIII.

Coasting Trade Excepted.

The stipulations of the preceding Articles shall not apply to the coasting trade, which each of the High Contracting Parties shall regulate according to its own laws.

Port-to-Port Trade.—National Treatment.

The vessels of each of the two Contracting Parties shall, however, be at liberty, according as the captain, proprietor, or other person duly authorized to act as agent for the vessel or cargo, shall consider advisable, to proceed from one port of one of

the two States to one or several ports of the same State, in order to discharge the whole or part of their cargo brought from abroad, or in order to take in or complete their cargo, without paying other duties than those to which national vessels are, or may hereafter be, liable in similar cases.

ARTICLE IX.

National Vessels.

All vessels which according to the laws of Great Britain are to be deemed British vessels, and all vessels which according to the laws of the Empire of Russia are to be deemed Russian vessels, shall for the purposes of this Treaty be deemed British and Russian vessels respectively.

ARTICLE X.

Commerce and Navigation.—Most-favoured-nation Treatment.

Her Britannic Majesty engages that in all matters relating to commerce and navigation, the subjects of His Majesty the Emperor of all the Russias shall, in the British dominions, be entitled to every privilege, favour, and immunity which is actually granted, or may hereafter be granted, by Her Britannic Majesty to the subjects or citizens of any other Power; and His Majesty the Emperor of all the Russias, actuated by a desire to foster and extend the commercial relations of the two countries, engages that any privilege, favour, or immunity whatever, in regard to commerce and navigation, which His Imperial Majesty has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the subjects of Her Britannic Majesty.

ARTICLE XI.

Freedom of Travel, Residence, &c.—Hiring, &c., of Houses, Warehouses, &c.—Trade.—Employment of Agents.—Taxes.—Passports, &c.—National Treatment.

The subjects of either of the two High Contracting Parties, conforming themselves to the laws of the country, shall have—

1. Full liberty, with their families, to enter, travel, or reside in any part of the dominions and possessions of the other Contracting Party.

2. They shall be permitted, in the towns and ports, to hire or possess the houses, warehouses, shops, and premises, which may be necessary for them.

3. They may carry on their commerce, either in person or by any agents whom they may think fit to employ.

4. They shall not be subject, in respect of their persons or property, or in respect of passports, licences for residence or establishment, nor in respect of their commerce or industry, to any taxes, whether general or local, nor to imposts or obligations

of any kind whatever, other or greater than those which are or may be imposed upon native subjects.

ARTICLE XII.

Inviolability of Dwellings, &c.—Domiciliary Visits.

The dwellings and warehouses of the subjects of either of the two High Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto, destined for purposes of residence or commerce, shall be respected. If there should be occasion to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, such measure shall be executed only in conformity with the legal warrant or order in writing of a tribunal, or of the competent authority.

Administration of Justice.—National Treatment.

The subjects of either of the two Contracting Parties in the dominions and possessions of the other shall have free access to the courts of justice for the prosecution and defence of their rights. They shall enjoy in this respect the same rights and privileges as subjects of the country, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE XIII.

Acquisition and Disposal of Property.—Most-favoured-nation and National Treatment.

The subjects of either of the two Contracting Parties in the dominions and possessions of the other shall be at full liberty to acquire, possess, and dispose of every description of property which the laws of the country may permit any foreigners, of whatsoever nation, to acquire and possess. They may acquire and dispose of the same, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, or in any other manner, under the same conditions as are established by the laws of the country for all foreigners. Their heirs and representatives may succeed to and take possession of such property, either in person or by agents acting on their behalf, in the same manner and in the same legal forms as subjects of the country. In the absence of heirs and representatives the property shall be treated in the same manner as the like property belonging to a subject of the country under similar circumstances.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge, than is payable by subjects of the country. In every case the subjects of the Contracting Parties shall be permitted to export their property, or the proceeds thereof if sold, freely, and without being subjected on

such exportation to pay any duty as foreigners, or any other or higher duties than those to which subjects of the country are liable under similar circumstances.

ARTICLE XIV.

Exemption from Military Service, Forced Loans, Municipal Functions, &c.

The subjects of either of the two High Contracting Parties in the dominions and possessions of the other, shall be exempted from all compulsory military service whatever, whether in the army, navy, or national guard or militia. They shall be equally exempted from all judicial and municipal charges and functions whatever, as well as from all contributions, whether pecuniary or in kind, imposed as a compensation for personal service; and, finally, from forced loans and military exactions or requisitions.

Owners of Landed Property.—National Treatment.

In regard, however, to judicial and municipal charges and functions, those shall be excepted which are consequent upon the possession of real property or of a lease; and in regard to military exactions and requisitions, those which all subjects of the country may be required to furnish as landed proprietors or as farmers.

ARTICLE XV.

Appointment and Privileges of Consular Officers.—Most-favoured-nation Treatment.

It shall be free for each of the two High Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents, to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted, in the usual form, by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Consuls of the most-favoured-nation.

ARTICLE XVI.

Wrecks and Salvage.—National Treatment.

Any ship of war or merchant-vessel of either of the High Contracting Parties which may be compelled by stress of weather or by accident to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of

disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast into the sea, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Russian Consul-General, Consul, or Vice-Consul in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents, shall pay only the expenses incurred in the preservation of the property, together with the salvage, or other expenses, which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of custom, unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow countrymen.

ARTICLE XVII.

Seamen Deserters.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of either of the High Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from ships of war or merchant-vessels of their respective countries.

ARTICLE XVIII.

Ionian Islands.

The Ionian Islands being under the protection of Her Britannic Majesty, the subjects and vessels of those Islands shall enjoy, in the dominions and possessions of His Majesty the Emperor of Russia, all the advantages which are granted by the present Treaty to the subjects and vessels of Great Britain, as soon as the Government of the Ionian Islands shall have agreed to grant the

same reciprocal advantages in those Islands to Russian subjects and vessels; it being understood that, in order to prevent abuses, every Ionian vessel claiming the benefits of the present Treaty shall be furnished with a patent signed by the Lord High Commissioner or his Representative.

ARTICLE XIX.

Stipulations of Treaty apply to Finnish Vessels.

The stipulations of the present Treaty shall be applicable to all vessels navigating under the Russian flag, without any distinction between the Russian Mercantile Marine, properly so called, and that which belongs more particularly to the Grand Duchy of Finland, which forms an integral part of the Empire of Russia.

Convention of 1825 to Remain in Force.

In regard to commerce and navigation in the Russian Possessions on the North-West Coast of America, the Convention concluded at St. Petersburg on the $\frac{1}{2}$ ⁶th of February, 1825, shall continue in force.

ARTICLE XX.

Trade-Marks.

The High Contracting Parties being desirous to secure, each within its own dominions, complete and effectual protection against fraud for the manufactures of the other, have agreed that any piracy or fraudulent imitation in one of the two countries of the manufacturers' or tradesmen's marks originally affixed, *bona fide*, to goods produced in the other, in attestation of their origin and quality, shall be strictly prohibited and repressed. Her Britannic Majesty engages to recommend to Her Parliament to adopt such measures as may be required to enable Her to give the more complete execution to the stipulations of this Article.

ARTICLE XXI.

Copyright.

The High Contracting Parties reserve to themselves to determine hereafter, by a special Convention, the means of reciprocally protecting copyright in works of literature and of the fine arts, within their respective dominions.

ARTICLE XXII.

Duration of Treaty, Ratifications.

The present Treaty of Commerce and Navigation shall remain in force for ten years from the date of the exchange of the ratifications; and further, until the expiration of twelve months after either of the High Contracting Parties shall have given notice to

the other of its intention to terminate the same ; each of the High Contracting Parties reserving to itself the right of giving such notice to the other at the expiration of the first nine years, or at any time afterwards.

The present Treaty shall be ratified, and the ratifications shall be exchanged at London in six weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at St. Petersburg, this ^{twelfth day of January} ~~thirty-first day of December~~, in the year of our Lord one thousand eight hundred and fifty ^{nine} ~~eight~~.

(L.S.) JOHN F. CRAMPTON.

(L.S.) PRINCE A. GORTCHACOW.

SEPARATE ARTICLE I.

Commercial Relations between Russia and Sweden and Norway.

The commercial intercourse of Russia with the Kingdoms of Sweden and Norway being regulated by special stipulations, which may hereafter be renewed, and which do not form part of the regulations applicable to foreign commerce in general, the two High Contracting Parties, being desirous of removing from their commercial relations every kind of doubt or cause for discussion, have agreed that those special stipulations granted in favour of the commerce of Sweden and Norway, in consideration of equivalent advantages granted in those countries to the commerce of the Grand Duchy of Finland, shall in no case apply to the relations of commerce and navigation established between the two High Contracting Parties by the present Treaty.

SEPARATE ARTICLE II.

Exemptions from Operation of Treaty.

It is equally understood that the exemptions, immunities, and privileges hereinafter mentioned, shall not be considered as at variance with the principle of reciprocity which forms the basis of the Treaty of this date, that is to say :

1. The exemption from navigation dues during the first three years, which is enjoyed by vessels built in Russia, and belonging to Russian subjects ;

2. The permission granted to the inhabitants of the coast of the Government of Archangel, to import duty free, or on payment of moderate duties, into the ports of the said Government, dried or salted fish, as likewise certain kinds of furs, and to export therefrom, in the same manner, corn, rope and cordage, pitch, and ravensduck ;

3. The privilege of the Russian American Company ;

4. The immunities granted in Russia to certain English and Netherland Companies, called " Yacht Clubs."

SEPARATE ARTICLE III.

Force and Validity of Separate Articles.

The present Separate Articles shall have the same force and validity as if they were inserted, word for word, in the Treaty signed this day. They shall be ratified, and the ratifications thereof exchanged at the same time.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at St. Petersburg, this ^{twelfth} ^{day of January} ^{thirty-first day of December}, in the year of our Lord one thousand eight hundred and fifty ^{nine} ^{eight}.

(L.S.) JOHN F. CRAMPTON.
(L.S.) PRINCE A. GORTCHACOW.

No. 141.

DECLARATION BETWEEN GREAT BRITAIN AND RUSSIA RESPECTING
THE PROTECTION OF TRADE-MARKS.

*Signed at St. Petersburg, July 11, 1871.**

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the Emperor of all the Russias, having recognised the necessity of defining and rendering more efficacious the stipulations contained in Article XX of the Treaty of Commerce and Navigation between Great Britain and Russia, signed on the ^{31st December 1858} ^{12th January, 1859}, the Undersigned, duly authorised to that effect, have agreed upon the following arrangements :—

ARTICLE I.

Punishment of Fraudulent use of Trade-marks.

The offering for sale or the placing in circulation of goods bearing counterfeit British or Russian trade-marks, wherever fabricated, shall be considered as a fraudulent operation prohibited within the territory of the two States, and shall be liable in England to the penalties prescribed by the Act of Parliament of 1862, and in Russia to the penalties prescribed by Articles 173-176 and 181 inflicted by Judges of the Peace, and by Articles 1665-1669 and 1671-1675 of the Penal Code (edition 1861).

Such fraudulent operation shall give the right before the Tribunals, and according to the laws of the country where it shall

* Signed also in French.

have been proved, to an action for damages, at the suit of the injured party, against those who may have been guilty thereof.

ARTICLE II.

Registration of Trade-marks.

British subjects who may desire to secure to themselves in Russia the proprietorship of their trade-marks, shall be bound to register them at St. Petersburg at the Department of Commerce and Manufactures.

In case trade-marks should hereafter become subject to registration in England, the same rules shall be applied to Russian as to English trade-marks.

ARTICLE III.

Duration of Declaration.

The present Articles, which shall come immediately into operation shall be considered as forming an integral part of the Treaty of the ^{31st December, 1858} ^{12th January, 1859}, and shall have the same force and duration as the said Treaty.

In witness whereof the Undersigned have drawn up the present Declaration, and have affixed thereto the seal of their arms.

Done in duplicate at St. Petersburg, the ^{29th June} ^{11th July}, 1871.

(L.S.) ANDREW BUCHANAN.
(L.S.) WESTMANN.

No. 142.

AGREEMENT BETWEEN GREAT BRITAIN AND RUSSIA RESPECTING THE COMMERCIAL RELATIONS BETWEEN RUSSIA AND ZANZIBAR.

Signed at London, August $\frac{12}{24}$, 1896.

Le Gouvernement de Sa Majesté Britannique, agissant au nom de Sa Hautesse le Sultan de Zanzibar, d'une part, et le Gouvernement de Sa Majesté l'Empereur de Russie, de l'autre, désirant régler les relations commerciales en Zanzibar, sont convenus de ce qui suit :—

ARTICLE I.

Commerce and Navigation.—Most-favoured-nation Treatment.

Les sujets de Sa Majesté l'Empereur jouiront dans les États du Sultan du traitement de la nation la plus favorisée sous le rapport

du commerce et de la navigation ainsi que sous tous les autres rapports; ils n'auront à payer, pour leurs marchandises et leurs navires, à l'exportation et à l'importation, que les droits auxquels sont ou seront assujettis les sujets de la nation la plus favorisée.

Les sujets de Sa Hautesse le Sultan de Zanzibar jouiront dans les États de Sa Majesté l'Empereur, en se conformant aux lois du pays, du traitement de la nation la plus favorisée, sous le rapport du commerce et de la navigation, ainsi que sous tous les autres rapports; ils n'auront à payer, pour leurs marchandises et leurs navires, à l'exportation et à l'importation, que les droits auxquels sont ou seront assujettis les sujets de la nation la plus favorisée.

Exceptions.

Il est bien entendu, toutefois, que les dispositions du présent Article ne s'appliquent pas—

1. Aux faveurs actuellement accordées ou qui pourraient être accordées ultérieurement relativement à l'importation ou à l'exportation, aux habitants du Gouvernement d'Arkhangel ainsi que pour les côtes septentrionales et orientales de la Russie d'Asie (Sibérie).

2. Aux stipulations spéciales contenues dans le Traité passé entre la Russie et la Suède et la Norvège le 26 Avril (5 Mai), 1838, ni à celles qui sont ou seront relatives au commerce avec les États et pays limitrophes de l'Asie et que ces stipulations ne pourront dans aucun cas être invoquées pour modifier les relations de commerce et de navigation établies entre les deux Parties Contractantes par le présent Arrangement.

ARTICLE II.

Appointment and Privileges of Consuls.—Most-favoured-nation Treatment.

Sa Majesté l'Empereur de Russie aura le droit de nommer des Consuls dans les États de Sa Hautesse le Sultan de Zanzibar. Ces Consuls seront traités sur le même pied et jouiront des mêmes privilèges, immunités, et exemptions que ceux de la nation la plus favorisée.

Réciproquement, Sa Hautesse le Sultan de Zanzibar aura le droit de nommer des Consuls en Russie qui jouiront des mêmes droits, immunités, et privilèges que ceux de la nation la plus favorisée.

ARTICLE III.

Duration of Agreement.

Le présent Arrangement restera en vigueur pendant dix années à partir du jour de sa signature.

Dans le cas où aucune des Hautes Parties Contractantes n'aurait notifié avant la fin de la dite période son intention d'en faire cesser les effets, le présent Arrangement demeurera obligatoire

jusqu'à l'expiration d'une année, à partir du jour où l'une ou l'autre des Hautes Parties Contractantes l'aura dénoncée.

Les deux Hautes Parties Contractantes se réservent la faculté d'introduire, d'un commun accord, dans le présent Arrangement pendant sa durée, telle modification ou disposition complémentaire que l'expérience aurait démontrée utile.

En foi de quoi les Plénipotentiaires respectifs ont signé le présent Arrangement, et y ont apposé le cachet de leurs armes.

Fait à Londres, en double expédition, le $\frac{1}{2}$ Août, 1896.

(L.S.) SALISBURY.
(L.S.) STAAL.

No. 143.

AGREEMENT BETWEEN GREAT BRITAIN AND RUSSIA RESPECTING
JOINT-STOCK COMPANIES AND OTHER COMMERCIAL, INDUSTRIAL,
AND FINANCIAL ASSOCIATIONS.

Signed at St. Petersburg, December 29 (16), 1904.

Arrangement.

LE Gouvernement de Sa Majesté Britannique et le Gouvernement Impérial de Russie ayant jugé utile de régler réciproquement dans le Royaume-Uni de la Grande-Bretagne et d'Irlande et dans l'Empire de Russie la situation des sociétés par actions (anonymes) et autres associations commerciales, industrielles ou financières, les Soussignés, en vertu de l'autorisation qui leur a été conférée, sont convenus de ce qui suit :

1. Les sociétés par actions (anonymes) et autres associations commerciales, industrielles ou financières domiciliées dans l'un des deux pays et à condition qu'elles y aient été valablement constituées conformément aux lois en vigueur, seront reconnues comme ayant l'existence légale dans l'autre pays et elles y auront notamment le droit d'ester en justice devant les tribunaux, soit pour intenter une action, soit pour s'y défendre.

2. En tout cas les dites sociétés et associations jouiront dans l'autre pays des mêmes droits qui sont ou seront accordés à des sociétés similaires de tout autre pays.

3. Il est entendu que la stipulation qui précède ne concerne point la question de savoir si une pareille société constituée dans l'un des deux pays sera admise ou non dans l'autre pays pour y exercer son commerce ou son industrie, cette admission restant toujours soumise aux prescriptions qui existent à cet égard dans ce dernier pays.

4. Il est entendu que les dispositions qui précèdent s'appliquent aussi bien aux sociétés et associations constituées antérieurement à la signature du présent arrangement qu'à celles qui le seraient ultérieurement.

Le présent arrangement entrera en vigueur à partir du jour de sa signature et ne cessera ses effets qu'un an après la dénonciation qui en serait faite de part ou d'autre.

Fait en double à St.-Petersbourg, le 29 (16) Décembre, 1904.

(L.S.) CHARLES HARDINGE.
(L.S.) COMTE LAMSDORFF.

Protocole.

LES Soussignés se sont réunis aujourd'hui à l'Hôtel du Ministère Impérial des Affaires Étrangères pour procéder à la signature d'un arrangement entre le Royaume-Uni de la Grande-Bretagne et d'Irlande et la Russie concernant les sociétés par actions (anonymes) et autres associations commerciales, industrielles ou financières.

Après lecture des instruments respectifs, lesquels ont été trouvés en bonne et due forme, la signature de l'arrangement a eu lieu selon l'usage.

En foi de quoi les Soussignés ont dressé le présent protocole et l'ont revêtu de leurs cachets.

Fait en double à St.-Petersbourg, le 29 (16) Décembre, 1904.

(L.S.) CHARLES HARDINGE.
(L.S.) COMTE LAMSDORFF.

No. 144.

EXCHANGE OF NOTES BETWEEN GREAT BRITAIN AND RUSSIA
AS TO THE RECIPROCAL PROTECTION OF TRADE-MARKS IN
CHINA.

October 29, 1906.

(No. 1.)

M. Pokotilow to Sir J. Jordan.

Légation Impériale de Russie, Pékin,
M. le Ministre et cher Collègue, le 29 Octobre, 1906.

LE Gouvernement Impérial étant désireux d'arriver à un accord avec le Gouvernement de la Grande-Bretagne concernant la protection réciproque en Chine des marques de fabrique et de commerce, dûment enregistrées en Russie et en Angleterre, j'ai l'honneur de vous informer que je suis autorisé par le Ministre des Affaires Étrangères de Russie de vous

déclarer que le Gouvernement de Russie est prêt à donner suite, par l'entremise de ses Tribunaux Consulaires en Chine, à toute demande relative aux contrefaçons des marques de fabrique et de commerce, dûment enregistrées en Russie, commises par des sujets Russes vis-à-vis des ressortissants Anglais.

Je vous serais obligé de vouloir bien m'informer si la même protection serait accordée dans les Tribunaux Consulaires de la Grande-Bretagne en Chine aux marques de fabrique et de commerce, propriété des sujets Russes, régulièrement déposées en Angleterre, qui seraient contrefaites par des sujets Anglais.

Veuillez agréer, &c.,

(Signé) D. POKOTILOW.

(No. 2.)

Sir J. Jordan to M. Pokotilow.

Sir, [RECEIVED BY THE CONSUL, Peking, October 30, 1906.]

I HAVE the honour to acknowledge the receipt of your note of the 29th October, in which you are good enough to inform me that you have been authorized by the Russian Minister of Foreign Affairs to declare that the Russian Government are ready, through their Consular Tribunals in China, to enforce any request relative to infringements of British trade-marks duly registered in Russia, which may be committed by Russian subjects.

In reply, I have the honour to inform you that under the Order in Council of February 2nd, 1899, it is open to a Russian whose trade-mark, duly registered in Great Britain, has been infringed by a British subject in China, to take proceedings against the latter in the British Court, provided—

(1) That the consent in writing of His Majesty's Minister or Chargé d'Affaires be obtained to the prosecution, but (2) such consent may be withheld unless His Majesty's Minister or Chargé d'Affaires is satisfied that effectual provision exists for the punishment in the Russian Consular Court of Russian subjects infringing British trade-marks.

In view of the assurances given by your Excellency in the note under reply, I am authorized by His Majesty's Government to inform you that it is not open to doubt that, in practice, the consent of the British Minister or Chargé d'Affaires would be given in any and every case where full reciprocity could be and was granted by Russia.

I shall not fail to inform His Majesty's Government of this exchange of notes nor to issue the necessary instructions to His Majesty's Consular officers in China.

I have, &c.,

(Signed) J. N. JORDAN.

SALVADOR.

No. 145.

**TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION, BETWEEN
GREAT BRITAIN AND SALVADOR.***Signed at Guatemala, October 24, 1862.***[Ratifications exchanged at London, April 16, 1863.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Republic of Salvador, being desirous to maintain and improve the relations of good understanding which happily subsist between them, and to promote the commercial intercourse between their respective subjects and citizens, have deemed it expedient to conclude a Treaty of Friendship, Commerce, and Navigation, and have for that purpose named as their respective Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, George Benvenuto Mathew, Esquire, Her Majesty's Minister Plenipotentiary to the Republics of Central America ;

And His Excellency the President of the Republic of Salvador, Señor Doctor Don Mariano Padilla, Knight of the Royal American Order of Isabel la Católica ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.*Friendship.*

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland recognizes the sovereignty and independence of the Republic of Salvador. Consequently, there shall be a perfect, firm, and inviolable peace and sincere friendship between Her Britannic Majesty and the Republic of Salvador, throughout the whole extent of their possessions and territories, and between

* Signed also in Spanish.

their subjects and citizens, respectively, without distinction of persons or places.

ARTICLE II.

Freedom of Commerce, Navigation and Residence.—Acquisition of Property.—Trade.—Manufactures.—Mining.—Most-favoured-nation and National Treatment.

The two High Contracting Parties being desirous of placing the commerce and navigation of their respective countries on the liberal basis of perfect equality and reciprocity, mutually agree that the subjects or citizens of each may frequent all the coasts and countries of the other, and reside therein, and shall have the power to purchase and hold all kinds of property which the laws of the country may permit any foreigners, of whatever nation, to hold, and to engage in all kinds of trade, manufactures, and mining, upon the same terms with native subjects or citizens. They shall enjoy all the privileges and concessions in these matters which are or may be made to the subjects or citizens of any country; and shall enjoy all the rights, privileges, and exemptions, in navigation, commerce, and manufactures, which native subjects or citizens do or shall enjoy, submitting themselves to the laws there established, to which native subjects or citizens are subjected.

Vessels of War and Mail Packets.

The ships of war and post-office packets of each Contracting Party, respectively, shall have liberty to enter into all harbours, rivers, and places within the territories of the other, to which the ships of war and packets of other nations are or may be permitted to come; to anchor there, and to remain and refit; subject always to the laws of the two countries respectively.

Commerce and Navigation.—Most-favoured-nation Treatment.

The High Contracting Parties further engage that neither will grant any favour to any other nation, in respect of commerce and navigation, which shall not immediately become common to the other Contracting Party.

ARTICLE III.

Coasting Trade.—National Treatment.

The High Contracting Parties agree that, in regard to the coasting trade, the ships, subjects, and citizens of each shall enjoy, in the dominion and territories of the other, the same privileges, and shall be treated in all respects in the same manner, as national vessels, and as native subjects and citizens.

ARTICLE IV.

Imports in Vessels of either Country.—National Treatment.

The Contracting Parties likewise agree, that whatever kind of produce, manufacture, or merchandize can be from time to time lawfully imported into the British dominions in British vessels, may also be imported in vessels of the Republic of Salvador; and that no higher or other duties upon the vessel or upon her cargo shall be levied and collected, whether the importation be made in vessels of the one country, or of the other; and in like manner, that whatever kind of produce, manufacture, or merchandize can be from time to time lawfully imported into the Republic of Salvador in its own vessels, may be also imported in British vessels; and that no higher or other duties upon the vessel or upon her cargo shall be levied or collected, whether the importation be made in vessels of the one country or of the other.

Exports in Vessels of either Country.—Bounties and Drawbacks.—National Treatment.

And they further agree, that whatever may be lawfully exported or re-exported from the one country in its own vessels to any foreign country, may in like manner be exported or re-exported in the vessels of the other country; and that the same bounties, duties, and drawbacks shall be allowed and collected, whether such exportation or re-exportation be made in British vessels, or in vessels of the Republic of Salvador.

ARTICLE V.

Imports and Exports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No higher or other duties shall be imposed on the importation into the British dominions of any article the growth, produce, or manufacture of the Republic of Salvador, and no higher or other duties shall be imposed on the importation into the Republic of Salvador of any article the growth, produce, or manufacture of the British Dominions, than are or shall be payable on the same or the like article being the produce or manufacture of any other foreign country. Nor shall any higher or other duties or charges be imposed, in either of the two countries, on the exportation of any article to the territories of the other, than such as are payable on the exportation of the same or the like article to any other foreign country.

No prohibition shall be imposed upon the importation of any article the growth, produce, or manufacture of the territories of either of the two Contracting Parties into the territories of the other, which shall not equally extend to the importation of the same or the like

article being the growth, produce, or manufacture of any other country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two Contracting Parties to the territories of the other, which shall not equally extend to the exportation of the same or the like article to the territories of all other nations.

ARTICLE VI.

Warehousing, Transit, Re-exportation, Bounties, and Drawbacks.—National and Most-favoured-nation Treatment.

The subjects and citizens of one of the Contracting Parties shall enjoy, in the dominions, possessions, and territories of the other, equality of treatment with native subjects and citizens, or with the subjects and citizens of the most favoured nation, in regard to warehousing, transit, and re-export, and also in regard to bounties, facilities, and drawbacks.

ARTICLE VII.

Tonnage, Harbour, Pilotage, Lighthouse, Quarantine and other Dues.—National Treatment.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties, of whatever nature or under whatever denomination, levied in the name or for the profit of the Government, public functionaries, corporations, or establishments of whatever kind, shall be imposed in the ports of either country upon the vessels of the other country, which shall not be equally imposed in the like cases on national vessels.

ARTICLE VIII.

Vessels and Cargoes.—Non-imposition of Discriminating Duties.

In order to prevent the possibility of any misunderstanding it is hereby declared that the stipulations contained in the preceding Articles are, to their full extent, applicable to British vessels and their cargoes arriving in the ports of Salvador, and reciprocally to the vessels of the said Republic and their cargoes arriving in British ports, whether they proceed from the ports of the country to which they respectively belong, or from the ports of any other foreign country; and, in either case, no discriminating duty shall be imposed or collected in the ports of either country on the said vessels or upon their cargoes, whether such cargoes shall consist of native or of foreign produce or manufacture.

ARTICLE IX.

National Vessels.

All vessels which, according to the laws of Great Britain, are to be deemed British vessels, and all vessels which, according to the laws of the Republic of Salvador, are to be deemed vessels of that Republic, shall, for the purposes of this Treaty, be deemed British vessels and vessels of Salvador respectively.

ARTICLE X.

Transaction of Business.—Employment of Agents.—Loading and Unloading of Vessels.—National Treatment.

It is likewise agreed, that it shall be wholly free for all merchants, commanders of ships, and other subjects or citizens of both countries, to manage, by themselves or agents, their own business, in all the ports and places subject to the jurisdiction of each other, as well with respect to the consignment and sale of their goods and merchandize, by wholesale or retail, as with respect to the loading, unloading, and sending off their ships; they being, in all these cases, to be treated as subjects or citizens of the country in which they reside or are conducting their business, and to be subject to the laws of that country.

ARTICLE XI.

Vessels in Distress.

Whenever the citizens of either of the Contracting Parties shall be forced to seek refuge or asylum in the rivers, bays, ports, or dominions of the other, with their vessels, whether merchant or of war, public or private, through stress of weather, pursuit of pirates or enemies, or want of provisions or water, they shall be received and treated with humanity, and all favour and protection shall be given to them for repairing their ships, procuring provisions, and placing themselves in a situation to continue their voyage without obstacle or hindrance of any kind.

ARTICLE XII.

Wrecks and Salvage.—National Treatment.

If any ship of war or merchant-vessel of either of the High Contracting Parties should be wrecked on the coasts of the other, such ship or vessel, or any parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize which shall be saved therefrom, or the produce thereof if sold, shall be faithfully restored to the owners, upon being claimed by them or by their duly authorized agents; and if there are no such

owners or agents on the spot, then the said ships, or parts of ships, furniture, appurtenances, goods, and merchandize, or the proceeds thereof if sold, as well as all the papers found on board such wrecked ship or vessel, shall be delivered to the British Consul or Vice-Consul, or to the Consul or Vice-Consul of the Republic of Salvador, in whose district the wreck may have taken place, upon being claimed by him, and on his giving a receipt or acknowledgment for the same; and upon payment by such Consul, Vice-Consul, owners, or agents, of only the expenses incurred in the preservation of the property, and of the salvage and other expenses which would have been payable in the like case of a wreck of a national vessel. The charge for such salvage or other expenses shall be made and settled immediately, subject to such right of appeal on the part of the person paying the same as may exist in the respective countries. The goods and merchandize saved from the wreck shall not be subject to duties, unless cleared for consumption; in which case they shall be liable only to the same duties as if they had been imported in a national vessel.

ARTICLE XIII.

Acquisition and Disposal of Property.—Duties, &c.—Most-favoured-nation and National Treatment.

The subjects and citizens of either of the two Contracting Parties in the territories of the other shall be at full liberty to acquire, possess, and dispose of, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, or in any other manner whatever, every description of property which the laws of the country may permit any foreigners, of whatsoever nation, to hold. Their heirs and representatives may succeed to and take possession of such property, either in person or by agents acting on their behalf, in the ordinary form of law, in the same manner as subjects or citizens of the country; and in the absence of such heirs and representatives, the property shall be treated in the same manner as the like property belonging to a subject or citizen of the country under similar circumstances.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge, than is payable by subjects or citizens of the country. In every case the subjects and citizens of the Contracting Parties shall be permitted to export their property, or the proceeds thereof; British subjects from the territory of Salvador, and Salvador citizens from the British territory, freely, and without being subjected on such exportation to pay any duty as foreigners, and without having to pay any other or higher duties than those to which subjects or citizens of the country are liable.

ARTICLE XIV.

Protection of Persons and Property.—Administration of Justice.—National Treatment.

Both Contracting Parties promise and engage formally to give their special protection to the persons and property of the subjects or citizens of each other, of all occupations, who may be in the territories subject to the jurisdiction of one or the other, transient or dwelling therein, leaving open and free to them the tribunals of justice, for their judicial recourse, on the same terms which are usual and customary with the native subjects or citizens of the country; for which purpose they may either appear in proper person, or employ, in the prosecution or defence of their rights, such advocates, solicitors, notaries, agents, and factors as they may judge proper, in all their trials at law; and such citizens or agents shall have free opportunity to be present at the decisions or sentences of the tribunals in all cases which may concern them, and shall enjoy in such cases all the rights and privileges accorded to native subjects or citizens.

ARTICLE XV.

Intestate Estates.

In the event of any subject or citizen of either of the two Contracting Parties dying without will or testament in the dominions or territories of the other Contracting Party, or in the absence of lawful heirs or representatives, the Consul-General, Consul, or Acting Consul of the nation to which the deceased may belong, shall, so far as the laws of each country will permit, have the right, after a duly made and attested inventory has been signed by him, to take possession and charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, giving immediate notice of the death to the authorities of the country.

ARTICLE XVI.

Exemption from Military Service, Forced Loans, &c.—Taxes, &c.—National Treatment.

The subjects of Her Britannic Majesty residing in the Republic of Salvador, and the citizens of the Republic of Salvador residing in the dominions of Her Britannic Majesty, shall be exempted from all compulsory military service whatsoever, whether by sea or land, and from all forced loans, or military exactions or requisitions; and they shall not be compelled, under any pretext whatsoever, to pay any ordinary or extraordinary charges, requisitions, or taxes, other or higher than those that are or may be paid by native subjects or citizens.

ARTICLE XVII.

Naval or Military Deserters.

It is agreed and covenanted that neither of the High Contracting Parties shall knowingly receive into, or retain in, its service, any subjects or citizens of the other Party who have deserted from the naval or military service of that other Party; but that, on the contrary, each of the Contracting Parties shall respectively discharge from its service any such deserters, upon being required by the other Party to do so.

Merchant Seamen Deserters.

And it is further agreed, that if any of the crew of any merchant-vessel of either Contracting Party shall desert from such vessel within any port in the territory of the other Party, the authorities of such port and territory shall be bound to give every assistance in their power for the apprehension of such deserters, on application to that effect being made by the Consul of the Party concerned, or by the deputy or representative of the Consul: and any person knowingly protecting or harbouring such deserters shall be liable to punishment.

ARTICLE XVIII.

Liberty of Conscience.—Freedom of Religious Worship.—Burials.

British subjects residing in the territories of the Republic of Salvador shall enjoy the most perfect and entire liberty of conscience, without being annoyed, molested, or disturbed on account of their religious belief. Neither shall they be annoyed, molested, or disturbed in the proper exercise of their religion, in private houses, or in the chapels or places of worship destined for that purpose, provided that in so doing they observe the decorum due to Divine worship, and the respect due to the laws of the country. Liberty shall also be granted to bury British subjects who may die in the territories of the Republic of Salvador, in convenient and adequate places, to be appointed and established by British subjects for that purpose, with the knowledge of the local authorities, or in such other places of sepulture as may be chosen by the friends of the deceased; nor shall the funerals or sepulchres of the dead be disturbed in any wise or upon any account.

In like manner, the citizens of Salvador shall enjoy within the dominions of Her Britannic Majesty a perfect and unrestrained liberty of conscience, and of exercising their religion within private houses, or in the chapels or places of worship destined for that purpose, agreeably to the laws of those dominions.

ARTICLE XIX.

*Rupture of Friendly Relations.—Position of Persons and Property.
—National Treatment.*

For the better security of commerce between the subjects and citizens of the two High Contracting Parties, it is agreed that if at any time any rupture, or any interruption of friendly intercourse, should unfortunately take place between the two Contracting Parties, the subjects or citizens of either of them, established in the territories of the other, who may reside upon the coasts, shall be allowed six months, and those who may reside in the interior a whole year, to wind up their accounts and to dispose of their property; and a safe-conduct shall be given to them to embark at the port which they themselves shall select. The subjects or citizens of either of the two Contracting Parties who may be established in the dominions or territories of the other, in the exercise of any trade or other occupation or employment, shall be allowed to remain and continue in the exercise of the said trade or occupation, notwithstanding the interruption of friendship between the two countries, in the free enjoyment of their personal liberty and property, so long as they behave peaceably and observe the laws; and their goods and effects, of whatever description they may be, whether in their own custody or entrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property belonging to native subjects or citizens. In the same case, debts between individuals, public funds, and the shares of companies, shall never be confiscated, sequestered, or detained.

ARTICLE XX.

*Appointment and Privileges of Diplomatic and Consular
Agents.—Most-favoured-nation Treatment.*

It shall be free for each of the two Contracting Parties to appoint Consuls for the protection of trade, to reside in the dominions and territories of the other Party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent.

The Diplomatic Agents and Consuls of each of the two High Contracting Parties in the dominions or territories of the other, shall enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Agents of the same rank, belonging to the most favoured nation.

ARTICLE XXI.

Duration of Treaty.

The present Treaty shall remain in force for the term of twenty years from the day of the exchange of ratifications; and if neither

Party shall notify to the other its intention of terminating the same, twelve months before the expiration of the twenty years stipulated above, the said Treaty shall continue binding on both Parties beyond the said twenty years, until twelve months from the time that one of the Parties may notify to the other its intention of terminating it.

ARTICLE XXII.

Ratifications.

The present Treaty of Friendship, Commerce, and Navigation, shall be ratified, and the ratifications shall be exchanged at London as soon as possible within six months from this date.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at Guatemala, the twenty-fourth day of October, in the year of Our Lord one thousand eight hundred and sixty-two.

(L.S.) GEORGE B. MATHEW.

(L.S.) MARIANO PADILLA.

No. 146.

AGREEMENT BETWEEN GREAT BRITAIN AND SALVADOR FOR
PROLONGING THE TREATY OF FRIENDSHIP, COMMERCE, AND
NAVIGATION OF OCTOBER 24, 1862, BETWEEN THE TWO
COUNTRIES.

Signed at San Salvador, June 23, 1886.*

[*Ratifications exchanged, July 8, 1887.*]

WHEREAS in Article XXI of the Treaty of Friendship, Commerce, and Navigation between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Republic of Salvador, signed on the 24th October, 1862, it is stipulated as follows :

“The present Treaty shall remain in force for the term of twenty years from the date of exchange of ratifications, and if

* Signed also in Spanish.

neither Party shall notify to the other its intention of terminating the same twelve months before the expiration of the twenty years stipulated above, the said Treaty shall continue binding on both Parties beyond the said twenty years until twelve months from the time that one of the Parties may notify to the other its intention of terminating it."

And whereas the aforesaid High Contracting Parties are mutually desirous of prolonging the duration of the said Treaty for a further term of years, the Undersigned, duly authorized by their respective Governments, have agreed as follows :—

Prolongation of Treaty of 1862.

1. The Treaty of Friendship, Commerce, and Navigation between Her Majesty the Queen of Great Britain and Ireland and the Republic of Salvador, signed at Guatemala on the 24th day of October, 1862, shall remain in force for a period of twenty years from the date of the exchange of the ratifications of the present Agreement.

On the expiration of the said period of twenty years either Party may give twelve months' notice of their desire to terminate the said Treaty, and the Treaty shall then terminate accordingly ; but otherwise the Treaty shall remain in force until terminated by a notice as aforesaid.

Application of Treaty of 1862 to British Colonies.

2. It is, nevertheless, agreed that any or all of the following Colonies and foreign possessions of Her Britannic Majesty, that is to say :

India,
Canada,
Newfoundland,
The Cape of Good Hope,
New South Wales,
New Zealand,
Queensland,
South Australia,
Tasmania,
Victoria,
Natal,
Western Australia,

may at any time within the period of two years from the date of the exchange of the ratifications of the present Agreement give notice, through Her Majesty's Representative accredited to the Republic of Salvador, of their desire to be excepted from the operation of the Treaty aforesaid, and the said Treaty shall not thenceforward apply to any of the said Colonies or foreign possessions of Her Britannic Majesty which shall have given such notice. But, except as above provided, the said Treaty shall apply to all the Colonies and foreign possessions of Her Britannic

Majesty until the Treaty be terminated by notice given in pursuance of the terms of Article I of the present Agreement.

Ratifications.

3. The present Agreement shall be ratified, and the ratifications exchanged at Guatemala or San Salvador as soon as possible.

In witness whereof the Undersigned have signed the present Agreement, and have affixed thereto their seals.

Done at San Salvador, the 23rd day of June, 1886.

(L.S.) J. P. H. GASTRELL.
(L.S.) MANUEL DELGADO.

LIST OF BRITISH COLONIES INCLUDED IN THE TREATY OF OCTOBER 24, 1862, UNDER ARTICLE 2 OF THE ABOVE AGREEMENT.

- | | | | | |
|----------------------|-----|-----|-----|-----------------|
| 1. New South Wales | ... | ... | ... | August 3, 1887. |
| 2. Queensland | ... | ... | ... | " " |
| 3. South Australia | ... | ... | ... | " " |
| 4. Tasmania | ... | ... | ... | " " |
| 5. Victoria | ... | ... | ... | " " |
| 6. Natal | ... | ... | ... | " " |
| 7. Western Australia | ... | ... | ... | " " |
| 8. Newfoundland | ... | ... | ... | " " |

THE FOLLOWING ARE NOT INCLUDED:

1. India.
2. Cape of Good Hope.
3. Canada.
4. New Zealand.

SIAM.

No. 147.

TREATY BETWEEN GREAT BRITAIN AND SIAM.

Signed on June 20, 1826.

THE powerful Lord, who is in possession of every good, and every dignity, the God Boodh, who dwells over every head in the city of the sacred and great Kingdom of Si-a-yoo-tha-yă (titles of the King of Siam): Incomprehensible to the head and brain, the sacred beauty of the royal palace, serene and infallible there (titles of the Wang-na, or Second King of Siam), have bestowed their commands upon the heads of their Excellencies the Ministers of high rank, belonging to the sacred and great Kingdom of Si-a-yoo-tha-yă, to assemble and frame a Treaty with Captain Henry Burney, the English Envoy, on the part of the English Government, the Honourable East India Company, who govern the countries in India belonging to the English under the authority of the King and Parliament of England; and the Right Honourable Lord Amherst, Governor of Bengal, and other English officers of high rank, have deputed Captain Burney, as an Envoy to represent them, and to frame a Treaty with their Excellencies the Ministers of high rank belonging to the sacred and great Kingdom of Si-a-yoo-tha-yă, in view that the Siamese and the English nation may become great and true friends, connected in love and affection, with genuine candour and sincerity on both sides. The Siamese and English frame two uniform copies of a Treaty, in order that one copy may be placed in the Kingdom of Siam, and that it may become known throughout every great and small province subject to Siam, and in order that one copy may be placed in Bengal, and that it may become known throughout every great and small province subject to the English Government. Both copies of the Treaty will be attested by the royal seal, by the seals of their Excellencies the Ministers of high rank in the city of the sacred and great Kingdom of Si-a-yoo-tha-yă, and by the seals of the Right Honourable Lord Amherst, Governor of Bengal, and of the other English officers of high rank.

ARTICLE I.

Friendship.

The English and Siamese engage in friendship, love, and affection with mutual truth, sincerity, and candour. The Siamese must not meditate or commit evil, so as to molest the English in any manner. The English must not meditate or commit evil, so as to molest the Siamese in any manner. The Siamese must not go and molest, attack, disturb, seize, or take any place, territory, or boundary, belonging to the English, in any country subject to the English. The English must not go and molest, attack, disturb, seize, or take any place, territory, or boundary, belonging to the Siamese, in any country subject to the Siamese. The Siamese shall settle every matter within the Siamese boundaries according to their own will and customs.

ARTICLE II.

Offences committed by Subjects of the one Country in the Territory of the other.—Collection of Armies or Fleets by one Country near the Territory of the other.

Should any place or country subject to the English do anything that may offend the Siamese, the Siamese shall not go and injure such place or country, but first report the matter to the English, who will examine into it with truth and sincerity; and if the fault lie with the English, the English shall punish according to the fault. Should any place or country subject to the Siamese do anything that may offend the English, the English shall not go and injure such place or country, but first report the matter to the Siamese, who will examine into it with truth and sincerity; and if the fault lie with the Siamese, the Siamese shall punish according to the fault. Should any Siamese place or country, that is near an English country, collect at any time an army or a fleet of boats, if the chief of the English country inquire the object of such force, the chief of the Siamese country must declare it. Should any English place or country, that is near a Siamese country, collect at any time an army or a fleet of boats, if the chief of the Siamese country inquire the object of such force, the chief of the English country must declare it.

ARTICLE III.

Settlement of Boundaries.

In places and countries belonging to the Siamese and English, lying near their mutual borders, whether to the east, west, north, or south, if the English entertain a doubt as to any boundary that has not been ascertained, the chief on the side of the English must send a letter, with some men and people from his

frontier posts, to go and inquire from the nearest Siamese chief, who shall depute some of his officers and people from his frontier posts to go with the men belonging to the English chief, and point out and settle the mutual boundaries, so that they may be ascertained on both sides in a friendly manner. If a Siamese chief entertain a doubt as to any boundary that has not been ascertained, the chief on the side of the Siamese must send a letter, with some men and people from his frontier posts, to go and inquire from the nearest English chief, who shall depute some of his officers and people from his frontier posts, to go with the men belonging to the Siamese chief, and point out and settle the mutual boundaries, so that they may be ascertained on both sides in a friendly manner.

ARTICLE IV.

[Abrogated by Treaty of April 18, 1855.]

ARTICLE V.

[Abrogated by Treaty of April 18, 1855.]

ARTICLE VI.

[Partially abrogated by Treaty of April 18, 1855.]

Defrauding of Merchants.

... If a Siamese or English merchant buy or sell without inquiring and ascertaining whether the seller or buyer be of a good or bad character, and if he meet with a bad man who takes the property and absconds, the rulers and officers must make search and produce the person of the absconder, and investigate the matter with sincerity. If the party possess money or property, he can be made to pay, but if he do not possess any, or if he cannot be apprehended, it will be the merchant's own fault.

ARTICLE VII.

[Abrogated by Treaty of April 18, 1855.]

ARTICLE VIII.

Vessels in Distress.—Wrecks.—Succession to Property.

If a merchant desire to go and trade in any place or country belonging to the English or Siamese, and his ship, boat, or junk meet with any injury whatever, the English or Siamese officers shall afford adequate assistance and protection. Should any

vessel belonging to the Siamese or English be wrecked in any place or country, where the English or Siamese may collect any of the property belonging to such vessel, the English or Siamese officers shall make proper inquiry, and cause the property to be restored to its owner, or, in case of his death, to his heir, and the owner or heir will give a proper remuneration to the persons who may have collected the property. If any Siamese or English subject die in an English or Siamese country whatever property he may leave shall be delivered to his heir. If the heir be not living in the same country and unable to come, and appoint a person by letter to receive the property, the whole of it shall be delivered to such person.

ARTICLE IX.

[Abrogated by Treaty of April 18, 1855.]

ARTICLE X.

[Partially abrogated by Treaty of April 18, 1855.]

Trade of Certain British Asiatics with Siam.

Asiatic merchants, not being Burmese, Peguers, or descendants of Europeans, desiring to enter into and trade with the Siamese dominions from the countries of Mergui, Tavoy, Tenasserim, and Ye, which are now subject to the English, will be allowed to do so freely, overland and by water, upon the English furnishing them with proper certificates.

ARTICLE XI.

Transmission of Letters, &c.

If an Englishman desire to transmit a letter to any person in a Siamese or other country, such person only, and no other, shall open and look into the letter. If a Siamese desire to transmit a letter to any person in an English or other country, such person only, and no other, shall open and look into the letter.

ARTICLE XII.

British Trade with Tringano and Calantan.

Siam shall not go and obstruct or interrupt commerce in the States of Tringano and Calantan. English merchants and subjects shall have trade and intercourse in future with the same facility and freedom as they have heretofore had, and the English shall not go and molest, attack, or disturb those States upon any pretence whatever.

ARTICLE XIII.

[Partially annulled at request of Siam.]

Queda.—Siamese to Remain.—Trade and Intercourse with Prince of Wales' Island.—No Duty to be Levied on Stock and Provisions.—Import and Export Duties.

The Siamese engage to the English, that the Siamese shall remain in Queda, and take proper care of that country, and of its people; the inhabitants of Prince of Wales' Island and of Queda shall have trade and intercourse as heretofore; the Siamese shall levy no duty upon stock and provisions, such as cattle, buffaloes, poultry, fish, paddy, and rice, which the inhabitants of Prince of Wales' Island or ships there may have occasion to purchase in Queda; and the Siamese shall not farm the mouths of rivers or any streams in Queda, but shall levy fair and proper import and export duties. The Siamese further engage, that when Chao Phya of Ligor returns from Bangkok, he shall release the slaves, personal servants, family, and kindred belonging to the former Governor of Queda, and permit them to go and live wherever they please. The English engage to the Siamese, that the English do not desire to take possession of Queda, that they will not attack or disturb it . . . The English will not prevent any Siamese, Chinese, or other Asiatics at Prince of Wales' Island, from going to reside in Queda if they desire it.

ARTICLE XIV.

Perak to be Governed by its Rajah.—Not to be Molested by English or Siamese.

The Siamese and English mutually engage that the Rajah of Perak shall govern his country according to his own will. Should he desire to send the gold and silver flowers to Siam as heretofore, the English will not prevent his doing as he may desire. If Chao Phya of Ligor desire to send down to Perak, with friendly intentions, forty (40) or fifty (50) men, whether Siamese, Chinese, or other Asiatic subjects of Siam, or if the Rajah of Perak desire to send any of his ministers or officers to seek Chao Phya of Ligor, the English shall not forbid them. The Siamese or English shall not send any force to go and molest, attack, or disturb Perak. The English will not allow the State of Salengore to attack or disturb Perak, and the Siamese shall not go and attack or disturb Salengore. The arrangements stipulated in these two last Articles respecting Perak and Queda, Chao Phya of Ligor shall execute as soon as he returns home from Bangkok.

The fourteen Articles of this Treaty let the great and subordinate Siamese and English officers, together with every great and small province, hear, receive, and obey without fail. Their Excellencies the Ministers of high rank at Bangkok, and Captain Henry Burney, whom the Right Honourable Lord Amherst,

Governor of Bengal, deputed as an Envoy to represent his Lordship, framed this Treaty together in the presence of Prince Krom Meun Soorin Thiraksa, in the city of the sacred and great Kingdom of Si-a-yoo-tha-yă.

The Treaty, written in the Siamese, Malayan, and English languages, was concluded on Tuesday, the first day of the seventh decreasing moon, 1188, year dog 8, according to the Siamese era, corresponding with the twentieth day of June, 1826, of the European era.

Both copies of the Treaty are sealed and attested by their Excellencies the Ministers, and by Captain Henry Burney. One copy Captain Henry Burney will take for the ratification of the Governor of Bengal; and one copy, bearing the Royal Seal, Chao Phya of Ligor will take and place at Queda. Captain Burney appoints to return to Prince of Wales' Island in seven months, in the second moon of the year dog 8, and to exchange the ratifications of this Treaty with Phra Phak-di-Bori-Rak, at Queda. The Siamese and English shall form a friendship that shall be perpetuated, that shall know no end or interruption as long as Heaven and Earth endure.

(A literal translation from the Siamese.)

(Signed) H. BURNEY, *Captain,*
Envoy to the Court of Siam.

(King
of Siam's
Seal.) (Signed) AMHERST. (L.S.)

Ratified by the Right Honourable the Governor-General, in camp at Agra, this seventeenth day of January, one thousand eight hundred and twenty-seven.

By command of the Governor-General,

(Signed) A. STIRLING,
Secretary to Government,
In attendance on the Governor-General.

COMMERCIAL AGREEMENT ANNEXED TO THE TREATY OF 1826.

Their Excellencies the Ministers and Captain Henry Burney having settled a Treaty of Friendship, consisting of fourteen Articles, now frame the following Agreement with respect to English vessels desiring to come and trade in the city of the sacred and great Kingdom of Si-a-yoo-tha-yă (Bangkok):—

ARTICLE I.

[Partially abrogated by Treaty of April 18, 1855.]

Trade in Fire-arms.

Merchants [coming to Bangkok] . . . if they import fire-arms, shot, or gunpowder, they are prohibited from selling them to

any party but to the Government. Should the Government not require such fire-arms, shot, or gunpowder, the merchants must re-export the whole of them.

ARTICLE II.

[Abrogated by Treaty of May 13, 1856.]

ARTICLE III.

[Abrogated by Treaty of May 13, 1856.]

ARTICLE IV.

[Partially abrogated by Treaty of May 13, 1856.]

No duty on Cargo Boats.

. . . Should a vessel, upon receiving an export cargo, find that she cannot cross the bar with the whole, and that she must hire cargo-boats to take down a portion of the cargo, the officers of the Customs and chokeys shall not charge any further duty upon such cargo-boats.

ARTICLE V.

[Abrogated by Treaty of May 13, 1856.]

ARTICLE VI.

[Abrogated by Treaty of May 13, 1856.]

(A literal translation from the Siamese.)

(Signed) — H. BURNEY, *Captain,*
Envoy to the Court of Siam.

(King
of Siam's
Seal.)

(Signed) AMHERST. (LS.)

Ratified by the Right Honourable the Governor-General, in camp at Agra, this seventeenth day of January, one thousand eight hundred and twenty-seven.

By command of the Governor-General,

(Signed) A. STIRLING,
Secretary to Government,
In attendance on the Governor-General.

No. 148.

TREATY OF FRIENDSHIP AND COMMERCE BETWEEN GREAT BRITAIN
AND SIAM.*Signed at Bangkok, April 18, 1855.***[Ratifications exchanged at Bangkok, April 5, 1856.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and all its dependencies, and Their Majesties Phra. Bard Somdetch Phra Paramendr Maha Mongkut Phra Chom Klau Chau Yu Hua, the First King of Siam, and Phra Bard Somdetch Phra Pawarendr Ramesr Mahiswaresr Phra Pin Klau Chau Yu Hua, the Second King of Siam, desiring to establish upon firm and lasting foundations the relations of peace and friendship existing between the two countries, and to secure the best interests of their respective subjects by encouraging, facilitating, and regulating their industry and trade, have resolved to conclude a Treaty of Amity and Commerce for this purpose, and have therefore named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of Great Britain and Ireland, Sir John Bowring, Knight, Doctor of Laws, &c., &c.;

And Their Majesties the First and Second Kings of Siam, his Royal Highness Krom Hluang Wongsā Dhiraj Snidh; his Excellency Somdetch Chau Phaya Param Maha Puyurawongse; his Excellency Somdetch Chau Phaya Param Maha Bijai-neate; his Excellency Chau Phaya Sri Suriwongse Samuha Phra Kralahome; and his Excellency Chau Phaya, Acting Phra-Klang;

Who, after having communicated to each other their respective full powers, and found them to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

*Peace and Friendship.—Freedom of Residence and Trade.—
Protection of Persons.*

There shall henceforward be perpetual peace and friendship between Her Majesty the Queen of Great Britain and Ireland, and her successors, and Their Majesties the First and Second Kings of Siam and their successors. All British subjects coming to Siam shall receive from the Siamese Government full protection and assistance to enable them to reside in Siam in all security, and trade with every facility, free from oppression or injury on the

* Signed also in Siamese.

part of the Siamese; and all Siamese subjects going to an English country shall receive from the British Government the same complete protection and assistance that shall be granted to British subjects by the Government of Siam.

ARTICLE II.

British Consular Jurisdiction in Siam.

The interests of all British subjects coming to Siam shall be placed under the regulation and control of a Consul, who will be appointed to reside at Bangkok; he will himself conform to, and will enforce the observance by British subjects of, all the provisions of this Treaty, and such of the former Treaty negotiated by Captain Burney in 1826, as shall still remain in operation. He shall also give effect to all rules or regulations that are now or may hereafter be enacted for the government of British subjects in Siam, the conduct of their trade, and for the prevention of violations of the laws of Siam. Any disputes arising between British and Siamese subjects shall be heard and determined by the Consul, in conjunction with the proper Siamese officers; and criminal offences will be punished, in the case of English offenders by the Consul, according to English laws, and in the case of Siamese offenders, by their own laws, through the Siamese authorities. But the Consul shall not interfere in any matters referring solely to Siamese, neither will the Siamese authorities interfere in questions which only concern the subjects of Her Britannic Majesty.

It is understood, however, that the arrival of the British Consul at Bangkok shall not take place before the ratification of this Treaty, nor until ten vessels owned by British subjects, sailing under British colours and with British papers, shall have entered the port of Bangkok for purposes of trade, subsequent to the signing of this Treaty.

ARTICLE III.

Punishment of British Subjects and Siamese in the Employ of British Subjects Offending against Laws of Siam.

If Siamese in the employ of British subjects offend against the laws of their country, or if any Siamese having so offended or desiring to desert, take refuge with a British subject in Siam, they shall be searched for, and upon proof of their guilt or desertion, shall be delivered up by the Consul to the Siamese authorities. In like manner, any British offenders resident or trading in Siam, who may desert, escape to, or hide themselves in, Siamese territory, shall be apprehended and delivered over to the British Consul on his requisition. Chinese, not able to prove themselves to be British subjects, shall not be considered as such by the British Consul, nor be entitled to his protection.

ARTICLE IV.

Trade of British Subjects with all Siamese Ports.—Permanent Residence at Bangkok only.—Building, &c., of Houses within four miles of Bangkok.—Acquisition of Property within twenty-four hours' journey from Bangkok.—Protection of Persons and Property.

British subjects are permitted to trade freely in all the seaports of Siam, but may reside permanently only at Bangkok, or within the limits assigned by this Treaty. British subjects coming to reside at Bangkok may rent land, and buy or build houses, but cannot purchase lands within a circuit of 200 *sen* (not more than four miles English) from the city walls, until they shall have lived in Siam for ten years, or shall obtain special authority from the Siamese Government to enable them to do so. But with the exception of this limitation, British resident in Siam may at any time buy or rent houses, lands, or plantations situated anywhere within a distance of twenty-four hours' journey from the city of Bangkok, to be computed by the rate at which boats of the country can travel. In order to obtain possession of such lands or houses, it will be necessary that the British subject shall, in the first place, make application through the Consul to the proper Siamese officer; and the Siamese officer and the Consul having satisfied themselves of the honest intentions of the applicant, will assist him in settling, upon equitable terms, the amount of the purchase money, will mark out and fix the boundaries of the property, and will convey the same to the British purchaser under sealed deeds. Whereupon he and his property shall be placed under the protection of the Governor of the district and that of the particular local authorities; he shall conform, in ordinary matters, to any just directions given him by them, and will be subject to the same taxation that is levied on Siamese subjects. But if through negligence, the want of capital, or other cause, a British subject should fail to commence the cultivation or improvement of the lands so acquired within a term of three years from the date of receiving possession thereof, the Siamese Government shall have the power of resuming the property, upon returning to the British subject the purchase money paid by him for the same.

ARTICLE V.

Registration of British Subjects.—Passports.

All British subjects intending to reside in Siam shall be registered at the British Consulate. They shall not go out to sea, nor proceed beyond the limits assigned by this Treaty for the residence of British subjects, without a passport from the Siamese authorities, to be applied for by the British Consul; nor shall they leave Siam, if the Siamese authorities show to the British Consul that legitimate objections exist to their quitting the

country. But within the limits appointed under the preceding Article, British subjects are at liberty to travel to and fro under the protection of a pass, to be furnished them by the British Consul, and counter-sealed by the proper Siamese officer, stating, in the Siamese character, their names, calling, and description. The Siamese officers at the Government stations in the interior may, at any time, call for the production of this pass, and immediately on its being exhibited, they must allow the parties to proceed; but it will be their duty to detain those persons who, by travelling without a pass from the Consul, render themselves liable to the suspicion of their being deserters; and such detention shall be immediately reported to the Consul.

ARTICLE VI.

Freedom of Religious Worship.—Engagement of Siamese Servants by British Subjects.

All British subjects visiting or residing in Siam shall be allowed the free exercise of the Christian religion, and liberty to build churches in such localities as shall be consented to by the Siamese authorities. The Siamese Government will place no restrictions upon the employment by the English of Siamese subjects as servants, or in any other capacity. But wherever a Siamese subject belongs or owes service to some particular master, the servant who engages himself to a British subject without the consent of his master may be reclaimed by him; and the Siamese Government will not enforce an agreement between a British subject and any Siamese in his employ, unless made with the knowledge and consent of the master, who has a right to dispose of the services of the person engaged.

ARTICLE VII.

Visit of Vessels of War.—Siamese to furnish Consul with means to enforce his authority over British Subjects.

British ships of war may enter the river, and anchor at Paknam, but they shall not proceed above Paknam, unless with the consent of the Siamese authorities, which shall be given where it is necessary that a ship shall go into dock for repairs. Any British ship of war conveying to Siam a public functionary accredited by Her Majesty's Government to the Court of Bangkok, shall be allowed to come up to Bangkok, but shall not pass the forts called Pong Phrachamit and Pit-pach-nuck, unless expressly permitted to do so by the Siamese Government; but in the absence of a British ship of war, the Siamese authorities engage to furnish the Consul with a force sufficient to enable him to give effect to his authority over British subjects, and to enforce discipline among British shipping.

ARTICLE VIII.

Abolition of Measurement Duty.—Import and Export Duties.

The measurement duty hitherto paid by British vessels trading to Bangkok under the Treaty of 1826 shall be abolished from the date of this Treaty coming into operation, and British shipping and trade will thenceforth be only subject to the payment of import and export duties on the goods landed or shipped. On all articles of import the duties shall be 3 per cent., payable at the option of the importer, either in kind or money, calculated upon the market value of the goods. Drawback of the full amount of duty shall be allowed upon goods found unsaleable and re-exported. Should the British merchant and the Custom-house officers disagree as to the value to be set upon imported articles, such disputes shall be referred to the Consul and proper Siamese officer, who shall each have the power to call in an equal number of merchants as assessors, not exceeding two on either side, to assist them in coming to an equitable decision.

Opium.

Opium may be imported free of duty, but can only be sold to the opium farmer or his agents. In the event of no arrangement being effected with them for the sale of the opium, it shall be re-exported, and no impost or duty shall be levied thereon. Any infringement of this regulation shall subject the opium to seizure and confiscation.

Exports to Pay one Impost only.

Articles of export from the time of production to the date of shipment shall pay one impost only, whether this be levied under the name of inland tax, transit duty, or duty on exportation. The tax or duty to be paid on each article of Siamese produce previous to or upon exportation, is specified in the Tariff attached to this Treaty; and it is distinctly agreed that goods or produce which pay any description of tax in the interior shall be exempted from any further payment of duty on exportation.

English Merchants may Purchase Direct from Producer.

English merchants are to be allowed to purchase directly from the producer the articles in which they trade, and in like manner to sell their goods directly to the parties wishing to purchase the same, without the interference, in either case, of any other person.

Tariff.—British Shipping.—National Treatment.

The rates of duty laid down in the Tariff attached to this Treaty are those that are now paid upon goods or produce shipped

in Siamese or Chinese vessels or junks; and it is agreed that British shipping shall enjoy all the privileges now exercised by, or which hereafter may be granted to, Siamese or Chinese vessels or junks.

British Shipbuilding in Siam.

British subjects will be allowed to build ships in Siam, on obtaining permission to do so from the Siamese authorities.

Export of Salt, Rice, and Fish may be Prohibited in Time of Famine.

Whenever a scarcity may be apprehended, of salt, rice, and fish, the Siamese Government reserve to themselves the right of prohibiting, by public proclamation, the exportation of these articles.

Free Importation of Bullion and Personal Effects.

Bullion, or personal effects, may be imported or exported free of charge.

ARTICLE IX.

Enforcement of Regulations Appended to Treaty.

The Code of Regulations appended to this Treaty shall be enforced by the Consul, with the co-operation of the Siamese authorities; and they, the said authorities and Consul, shall be enabled to introduce any further regulations which may be found necessary, in order to give effect to the objects of this Treaty.

All fines and penalties inflicted for infraction of the provisions and regulations of this Treaty shall be paid to the Siamese Government.

Until the British Consul shall arrive at Bangkok, and enter upon his functions, the consignees of British vessels shall be at liberty to settle with the Siamese authorities all questions relating to their trade.

ARTICLE X.

General Most-favoured-nation Treatment.

The British Government and its subjects will be allowed free and equal participation in any privileges that may have been, or may hereafter be, granted by the Siamese Government to the Government or subjects of any other nation.

ARTICLE XI.

Revision of this Treaty and Treaty of 1826.

After the lapse of ten years from the date of the ratification of this Treaty, upon the desire of either the British or Siamese

Government, and on twelve months' notice given by either Party, the present and such portions of the Treaty of 1826 as remain unrevoked by this Treaty, together with the Tariff and Regulations hereunto annexed, or those that may hereafter be introduced, shall be subject to revision by Commissioners appointed on both sides for this purpose, who will be empowered to decide on and insert therein such amendments as experience shall prove to be desirable.

ARTICLE XII.

Date of coming into force of Treaty.

This Treaty, executed in English and Siamese, both versions having the same meaning and intention, and the ratifications thereof having been previously exchanged, shall take effect from the sixth day of April in the year one thousand eight hundred and fifty-six of the Christian era, corresponding to the first day of the fifth month of the one thousand two hundred and eighteenth year of the Siamese Civil era.

In witness whereof the above-named Plenipotentiaries have signed and sealed the present Treaty in quadruplicate at Bangkok, on the eighteenth day of April, in the year one thousand eight hundred and fifty-five of the Christian era, corresponding to the second day of the sixth month of the one thousand two hundred and seventeenth year of the Siamese Civil era.

(LS.) JOHN BOWRING.

(Signatures and seals of the five Siamese Plenipotentiaries.)

GENERAL REGULATIONS UNDER WHICH BRITISH TRADE IS TO BE CONDUCTED IN SIAM.

REGULATION I.

Formalities on arrival of British Vessels at Paknam.

The master of every English ship coming to Bangkok to trade, must, either before or after entering the river, as may be found convenient, report the arrival of his vessel at the custom-house at Paknam, together with the number of his crew and guns, and the port from whence he comes. Upon anchoring his vessel at Paknam, he will deliver into the custody of the custom-house officers all his guns and ammunition; and a custom-house officer will then be appointed to the vessel, and will proceed in her to Bangkok.

REGULATION II.

British Vessels passing Paknam without giving up Guns and Ammunition.

A vessel passing Paknam without discharging her guns and ammunition as directed in the foregoing regulation, will be sent back to Paknam to comply with its provisions, and will be fined 800 ticals for having so disobeyed. After delivery of her guns and ammunition she will be permitted to return to Bangkok to trade.

REGULATION III.

Formalities on arrival of British Vessels at Bangkok.

When a British vessel shall have cast anchor at Bangkok, the master, unless a Sunday should intervene, will, within four-and-twenty hours after arrival, proceed to the British Consulate, and deposit there his ship's papers, bills of lading, &c., together with a true manifest of his import cargo; and upon the Consul's reporting these particulars to the custom-house, permission to break bulk will at once be given by the latter.

For neglecting so to report his arrival, or for presenting a false manifest, the master will subject himself, in each instance, to a penalty of 400 ticals; but he will be allowed to correct, within twenty-four hours after delivery of it to the Consul, any mistake he may discover in his manifest, without incurring the above-mentioned penalty.

REGULATION IV.

British Vessels discharging without permission, or Smuggling.

A British vessel breaking bulk, and commencing to discharge before due permission shall be obtained, or smuggling either when in the river or outside the bar, shall be subject to the penalty of 800 ticals, and confiscation of the goods so smuggled or discharged.

REGULATION V.

Clearance of British Vessels.—Formalities.

As soon as a British vessel shall have discharged her cargo, and completed her outward lading, paid all her duties, and delivered a true manifest of her outward cargo to the British Consul, a Siamese port-clearance shall be granted her on application from the Consul, who, in the absence of any legal impediment to her departure, will then return to the master his ship's papers and allow the vessel to leave. A custom-house officer will accompany the vessel to Paknam; and on arriving there she will

be inspected by the Custom-house officers of that station, and will receive from them the guns and ammunition previously delivered into their charge.

REGULATION VI.

English Text of these Regulations accepted by Siam.

Her Britannic Majesty's Plenipotentiary having no knowledge of the Siamese language, the Siamese Government have agreed that the English text of these Regulations, together with the Treaty of which they form a portion, and the Tariff hereunto annexed, shall be accepted as conveying in every respect their true meaning and intention.

(L.S.) JOHN BOWRING.

(Signatures and seals of the five Siamese Plenipotentiaries.)

TARIFF OF EXPORT AND INLAND DUTIES TO BE LEVIED ON ARTICLES OF TRADE.

SECTION I.

The undermentioned Articles shall be entirely free from Inland or other Taxes, on production or transit, and shall pay Export Duty as follows:—

	Tical.	Salung.	Fuang.	Hun.	
1. Ivory	10	0	0	0	Per pecul.
2. Gamboge	6	0	0	0	"
3. Rhinoceros horns	50	0	0	0	"
4. Cardamums, best	14	0	0	0	"
5. Ditto, bastard	6	0	0	0	"
6. Dried Mussels	1	0	0	0	"
7. Pelican's quills	2	2	0	0	"
8. Betel nut, dried	1	0	0	0	"
9. Krachi wood	0	2	0	0	"
10. Shark's fins, white	6	0	0	0	"
11. Ditto, black	3	0	0	0	"
12. Lukkrabau seed	0	2	0	0	"
13. Peacock's tails	10	0	0	0	Per 100 tails.
14. Buffalo and cow bones	0	0	0	3	Per pecul.
15. Rhinoceros hides	0	2	0	0	"
16. Hide cuttings	0	1	0	0	"
17. Turtle shells	1	0	0	0	"
18. Soft ditto	1	0	0	0	"
19. Bêche de mer	3	0	0	0	"
20. Fish maws	3	0	0	0	"
21. Bird's nests, uncleaned	20 per cent.				
22. Kingfisher's feathers	6	0	0	0	Per 100.
23. Cutch	0	2	0	0	Per pecul.
24. Beyché seed (Nux Vomica)	0	2	0	0	"
25. Pungtarai seed	0	2	0	0	"

		Tical.	Salung.	Fuang.	Hun.	
26. Gum Benjamin...	...	4	0	0	0	Per pecul.
27. Angrai bark ...	...	0	2	0	0	"
28. Agilla wood ...	...	2	0	0	0	"
29. Ray skins ...	...	3	0	0	0	"
30. Old deer's horns	...	0	1	0	0	"
31. Soft, or young ditto	...	10	per cent.			
32. Deer hides, fine...	...	8	0	0	0	Per 100 hides.
33. Ditto, common ...	...	3	0	0	0	"
34. Deer sinews ...	...	4	0	0	0	Per pecul.
35. Buffalo and cow hides	...	1	0	0	0	"
36. Elephant's bones	...	1	0	0	0	"
37. Tiger's bones ...	...	5	0	0	0	"
38. Buffalo horns ...	...	0	1	0	0	"
39. Elephant's hides	...	0	1	0	0	"
40. Tiger's skins ...	...	0	1	0	0	Per skin.
41. Armadillo skins	...	4	0	0	0	Per pecul.
42. Sticklac ...	...	1	1	0	0	"
43. Hemp...	...	1	2	0	0	"
44. Dried fish, <i>Plaheng</i>	...	1	2	0	0	"
45. Ditto, <i>Plasalit</i>	...	1	0	0	0	"
46. Sapan wood ...	...	0	2	1	0	"
47. Salt meat ...	...	2	0	0	0	"
48. Mangrove bark...	...	0	1	0	0	"
49. Rosewood ...	...	0	2	0	0	"
50. Ebony...	...	1	1	0	0	"
51. Rice ...	...	4	0	0	0	Per koyan.

SECTION II.

The undermentioned Articles being subject to the Inland or Transit Duties herein named, and which shall not be increased, shall be exempt from Export Duty.

		Tical.	Salung.	Fuang.	Hun.	
52. Sugar, white ...	...	0	2	0	0	Per pecul.
53. Ditto, red ...	...	0	1	0	0	"
54. Cotton, cleaned and un- cleaned ...	...	10	per cent.			
55. Pepper ...	...	1	0	0	0	Per pecul.
56. Salt fish, <i>Platu</i> ...	...	1	0	0	0	Per 10,000 fish.
57. Beans and peas...	...	One-twelfth.				
58. Dried prawns ...	...	One-twelfth.				
59. Tilseed ...	...	One-twelfth.				
60. Silk, raw ...	...	One-twelfth.				
61. Bees'-wax ...	...	One-fifteenth.				
62. Tallow ...	...	1	0	0	0	Per pecul.
63. Salt ...	...	6	0	0	0	Per koyan.
64. Tobacco ...	...	1	2	0	0	Per 1,000 bundles.

SECTION III.

All goods or produce unenumerated in this Tariff shall be free of Export Duty, and shall only be subject to one Inland Tax or Transit Duty, not exceeding the rate now paid.

(L.S.) JOHN BOWRING.

(Signatures and seals of the five Siamese Plenipotentiaries.)

AGREEMENT BETWEEN GREAT BRITAIN AND SIAM SUPPLEMENTARY
TO THE TREATY OF APRIL 18, 1855.

Signed at Bangkok, May 13, 1856.

AGREEMENT entered into between Harry Smith Parkes, Esq., on the part of Her Britannic Majesty's Government, and the undermentioned Royal Commissioners, on the part of Their Majesties the First and Second Kings of Siam.

Mr. Parkes having stated, on his arrival at Bangkok, as bearer of Her Britannic Majesty's ratification of the Treaty of Friendship and Commerce, concluded on the 18th day of April, 1855, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and Their Majesties Phra Bard Somdetch Phra Paramendr Maha Mongkut Phra Chom Klau Chau Yu Hua, the First King of Siam, and Phra Bard Somdetch Phra Pawarendr Ramesr Mahiswaresr Phra Pin Klau Chau Yu Hua, the Second King of Siam, that he was instructed by the Earl of Clarendon, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, to request the Siamese Government to consent to an enumeration of those Articles of the former Treaty, concluded in 1826, between the Honourable East India Company and Their late Majesties the First and Second Kings of Siam, which are abrogated by the Treaty first named, and also to agree to certain explanations which appear necessary to mark the precise force and application of certain portions of the new Treaty; Their aforesaid Majesties, the First and Second Kings of Siam, have appointed and empowered certain Royal Commissioners, namely, his Royal Highness Krom Hluang Wong-sa Dhiraj Snidh, and their Excellencies the four Senaputhies or Principal Ministers of Siam, to confer and arrange with Mr. Parkes the matters above named; and the said Royal Commissioners having accordingly met Mr. Parkes for this purpose, on repeated occasions, and maturely considered all the subjects brought by him to their notice, have resolved:

That it is proper, in order to prevent future controversy, that those clauses of the old Treaty which are abrogated by the new Treaty should be distinctly specified, and that any clause of the new Treaty which is not sufficiently clear should be fully explained. To this end they have agreed to and concluded the following twelve Articles:—

ARTICLE I.

Portions of Treaty of 1826 not Abrogated by Treaty of 1856.

The Articles of the old Treaty not abrogated by the new Treaty, are I, II, III, VIII, XI, XII, XIII, and XIV, and the undermentioned clauses of Articles VI and X;

In Article VI the Siamese desire to retain the following clause

"If a Siamese or English merchant buy or sell, without inquiring and ascertaining whether the seller or buyer be of a good or bad character, and if he meet with a bad man, who takes the property and absconds, the rulers and officers on either side must make search and endeavour to produce the property of the absconder, and investigate the matter with sincerity. If the party possess money or property, he can be made to pay; but if he does not possess any, or if he cannot be apprehended, it will be the merchant's own fault, and the authorities cannot be held responsible."

Of Article X, Mr. Parkes desires to retain that clause relating to the overland route, which states:

"Asiatic merchants of the English countries, not being Burmese, Pegouans, or descendants of Europeans, desiring to enter into and trade with the Siamese dominions, from the countries of Mergui, Tavoy, Tenasserim, and Ye, which are now subject to the English, will be allowed to do so freely overland and by water upon the English furnishing them with proper certificates."

Mr. Parkes, however, desires that all British subjects, without exception, shall be allowed to participate in this overland trade. The said Royal Commissioners therefore agree, on the part of the Siamese, that all traders, under British rule, may cross from the territories of Mergui, Tavoy, Ye, Tenasserim, Pegu, or other places, by land or by water, to the Siamese territories, and may trade there with facility, on the condition that they shall be provided by the British authorities with proper certificates, which must be renewed for each journey.

The Commercial Agreement annexed to the old Treaty is abrogated by the new Treaty, with the exception of the under-mentioned clauses of Articles I and IV.

Of Article I the Siamese desire to retain the following clause

"British merchants importing fire-arms, shot, or gunpowder, are prohibited from selling them to any party but the Government. Should the Government not require such fire-arms, shot, or gunpowder, the merchants must re-export the whole of them."

Article IV stipulates that no charge or duty shall be levied on boats carrying cargo to British ships at the bar. The Siamese desire to cancel this clause, for the reason that the old measurement duty of 1,700 ticals per fathom included the fees of the various officers, but as this measurement duty has now been abolished, the Siamese wish to levy on each native boat taking cargo out to sea, a fee of 8 ticals 2 salungs, this being the charge paid by Siamese traders; and Mr. Parkes undertakes to submit this point to the consideration of Her Majesty's Minister Plenipotentiary to the Court of Siam.

ARTICLE II.

Exclusive Jurisdiction of the Consul over British Subjects.

The IInd Article of the Treaty stipulates that—"Any disputes arising between British and Siamese subjects shall be heard and determined by the Consul in conjunction with the proper Siamese officers; and criminal offenders will be punished, in the case of English offenders by the Consul according to English laws, and in the case of Siamese offenders by their own laws, through the Siamese authorities; but the Consul shall not interfere in any matters referring solely to Siamese, neither will the Siamese authorities interfere in questions which only concern the subjects of Her Britannic Majesty."

On the non-interference of the Consul with the Siamese, or of the Siamese with British subjects, the said Royal Commissioners desire, in the first place, to state that while, for natural reasons, they fully approve of the Consul holding no jurisdiction over Siamese in their own country, the Siamese authorities, on the other hand, will feel themselves bound to call on the Consul to apprehend and punish British subjects who shall commit, whilst in Siamese territory, any grave infractions of the laws, such as cutting, wounding, or inflicting other serious bodily harm. But in disputes, or in offences of a slighter nature, committed by British subjects among themselves, the Siamese authorities will refrain from all interference.

With reference to the punishment of offences, or the settlement of disputes, it is agreed:

That all criminal cases in which both parties are British subjects, or in which the defendant is a British subject, shall be tried and determined by the British Consul alone. All criminal cases in which both parties are Siamese, or in which the defendant is a Siamese, shall be tried and determined by the Siamese authorities alone.

That all civil cases in which both parties are British subjects, or in which the defendant is a British subject, shall be heard and determined by the British Consul alone. All civil cases in which both parties are Siamese, or in which the defendant is a Siamese, shall be heard and determined by the Siamese authorities alone.

That whenever a British subject has to complain against a Siamese, he must make his complaint through the British Consul, who will lay it before the proper Siamese authorities.

That in all cases in which Siamese or British subjects are interested, the Siamese authorities in the one case, and the British Consul on the other, shall be at liberty to attend to, and listen to, the investigation of the case; and copies of the proceedings will be furnished from time to time, or whenever desired, to the Consul or the Siamese authorities, until the case is concluded.

That although the Siamese may interfere so far with British subjects, as to call upon the Consul, in the manner stated in this

Article, to punish grave offences when committed by British subjects, it is agreed that—

British subjects, their persons, houses, premises, lands, ships, or property of any kind, shall not be seized, injured, or in any way interfered with by the Siamese. In case of any violation of this stipulation, the Siamese authorities will take cognizance of the case, and punish the offenders. On the other hand, Siamese subjects, their persons, houses, premises, or property of any kind, shall not be seized, injured, or in any way interfered with by the English; and the British Consul shall investigate and punish any breach of this stipulation.

ARTICLE III.

Right of British Subjects to Dispose of their Property at Will.

By the IVth Article of the Treaty, British subjects are allowed to purchase in Siam "houses, gardens, fields, or plantations." It is agreed, in reference to this stipulation, that British subjects, who have accordingly purchased houses, gardens, fields, or plantations, are at liberty to sell the same to whomsoever they please. In the event of a British subject dying in Siam, and leaving houses, lands, or other property, his relations, or those persons who are heirs according to English law, shall receive possession of the said property; and the British Consul, or some one appointed by the British Consul, may proceed at once to take charge of the said property on their account. If the deceased should have debts due to him by the Siamese, or other persons, the Consul can collect them; and if the deceased should owe money, the Consul shall liquidate his debts as far as the estate of the deceased shall suffice.

ARTICLE IV.

Taxes, Duties, or other Charges leviable on British Subjects.

The IVth Article of the Treaty provides for the payment on the lands held or purchased by British subjects, of "the same taxation that is levied on Siamese subjects." The taxes here alluded to are those set forth in the annexed Schedule. Again, it is stated in the VIIth Article, that "British subjects are to pay import and export duties according to the Tariff annexed to the Treaty." For the sake of greater distinctness, it is necessary to add to these two clauses the following explanation, namely, that besides the land tax and the import and export duties, mentioned in the aforesaid Articles, no additional charge or tax of any kind may be imposed upon a British subject, unless it obtain the sanction both of the Supreme Siamese authorities and the British Consul.

ARTICLE V.

Passports and Port Clearances.

The Vth Article of the Treaty provides that passports shall be granted to travellers, and the Vth Article of the Regulations that port-clearances shall be furnished to ships. In reference thereto, the said Royal Commissioners, at the request of Mr. Parkes, agree that the passports to be given to British subjects travelling beyond the limits assigned by the Treaty for the residence of British subjects, together with the passes for cargo-boats and the port-clearances of British ships, shall be issued within twenty-four hours after formal application for the same shall have been made to the proper Siamese authorities; but if reasonable cause should, at any time, exist for delaying or withholding the issue of any of these papers, the Siamese authorities must at once communicate it to the Consul.

Passports for British subjects travelling in the interior, and the port-clearances of British ships, will be granted by the Siamese authorities free of charge.

ARTICLE VI.

Prohibition of the Exportation of Rice, Salt, and Fish, and on the Duty on Paddy in time of Scarcity.

The VIIIth Article of the Treaty stipulates, that "whenever a scarcity may be apprehended of salt, rice, and fish, the Siamese Government reserve to themselves the right of prohibiting by public proclamation the exportation of these articles."

Mr. Parkes, in elucidation of this clause, desires an agreement to this effect, namely, that a month's notice shall be given by the Siamese authorities to the Consul, prior to the enforcement of the prohibition, and that British subjects who may previously obtain special permission from the Siamese authorities to export a certain quantity of rice which they have already purchased, may do so even after the prohibition comes in force. Mr. Parkes also requests that the export duty on paddy should be half of that on rice, namely, two ticals per koyan.

The said Royal Commissioners having in view the fact that rice forms the principal sustenance of the nation, stipulate that on the breaking out of war or rebellion, the Siamese may prohibit the trade in rice, and may enforce the prohibition so long as the hostilities thus occasioned shall continue. If a dearth should be apprehended on account of the want or excess of rain, the Consul will be informed one month previous to the enforcement of the prohibition. British merchants who obtain the Royal permission, upon the issue of the proclamation, to export a certain quantity of rice which they have already purchased, may do so, irrespective of the prohibition to the contrary; but those merchants who do not obtain the Royal permission will not be allowed, when the

prohibition takes effect, to export the rice they may already have purchased. The prohibition shall be removed as soon as the cause of its being imposed shall have ceased to exist.

Paddy may be exported on payment of a duty of two ticals per koyan, or half the amount levied on rice.

ARTICLE VII.

*Free Importation of Gold and Silver Bars and Gold-Leaf.—
3 Per Cent. Duty on Gold and Silver Manufactures and Precious
Stones.*

Under the VIIIth Article of the Treaty, bullion may be imported or exported free of charge. With reference to this clause, the said Royal Commissioners, at the request of Mr. Parkes, agree that foreign coins of every denomination, gold and silver in bars or ingots, and gold-leaf, may be imported free; but manufactured articles in gold and silver, plated ware, and diamonds or other precious stones, must pay an import duty of 3 per cent.

ARTICLE VIII.

Establishment of a Custom-house.

The said Royal Commissioners, at the request of Mr. Parkes, and in conformity with the intent of the VIIIth Article of the new Treaty, agree to the immediate establishment of a custom-house, under the superintendence of a high Government functionary, for the examination of all goods landed or shipped, and the receipt of the import and export duties due thereon. They further agree that the business of the custom-house shall be conducted under the regulations annexed to this Agreement.

ARTICLE IX.

Subsequent Taxation of Articles now free from Duty.

Mr. Parkes agrees with the said Royal Commissioners that whenever the Siamese Government deem it to be beneficial for the country to impose a single tax or duty on any article not now subject to a public charge of any kind, they are at liberty to do so, provided that the said tax be just and reasonable.

ARTICLE X.

Boundaries of the Four-Mile Circuit.

It is stipulated in the IVth Article of the Treaty, that "British subjects coming to reside at Bangkok, may rent land and buy or build houses, but cannot purchase lands within a circuit of 200 *sen* (not more than four miles English) from the city walls, until they shall have lived in Siam for ten years, or shall obtain

special authority from the Siamese Government to enable them to do so."

The points to which the circuit extends, due north, south, east, and west of the city, and the spot where it crosses the river below Bangkok, have accordingly been measured by officers on the part of the Siamese and English; and their measurements, having been examined and agreed to by the said Royal Commissioners and Mr. Parkes, are marked by stone pillars placed at the under-mentioned localities, viz. :—

On the North.

One *sen* north of Wat Kemabhirataram.

On the East.

Six *sen* and seven fathoms south-west of Wat Bangkapi.

On the South.

About nineteen *sen* south of the village of Bangpakeo.

On the West.

About two *sen* south-west of the village of Bangphrom.

The pillars marking the spot where the circuit line crosses the river below Bangkok are placed on the left bank three *sen* below the village of Bangmanau, and on the right bank about one *sen* below the village of Banglampuluen.

ARTICLE XI.

Boundaries of the Twenty-four hours' Journey.

It is stipulated in the IVth Article of the Treaty, that "excepting within the circuit of four miles, British merchants in Siam may at any time buy or rent houses, lands, or plantations, situated anywhere within a distance of twenty-four hours' journey from the city of Bangkok, to be computed by the rate at which boats of the country can travel.

The said Royal Commissioners and Mr. Parkes have consulted together on this subject, and have agreed that the boundaries of the said twenty-four hours' journey shall be as follows :—

1. *On the North.*

The Bangputsa Canal from its mouth on the Chow Phya River, to the old city walls of Lobpury; and a straight line from Lobpury to the landing place of Tha Phra-ngam, near to the town of Sarabui, on the River Pasak.

2. *On the East.*

A straight line drawn from the landing place of Tha Phra-ngam to the junction of the Klongkut Canal with the Bangpakong

River; the Bangpakong River from the junction of the Khongkut Canal to its mouth, and the coast from the mouth of the Bangpakong River, to the Isle of Srimaharajah, to such distance inland as can be reached within twenty-four hours' journey from Bangkok.

3. *On the South.*

The Isle of Srimaharajah and the Islands of Se Chang, on the east side of the Gulf; and the city walls of Petchaburi, on the west side.

4. *On the West.*

The western coast of the Gulf to the mouth of the Meklong River, to such a distance inland as can be reached within twenty-four hours' journey from Bangkok. The Meklong River, from its mouth to the city walls of Rajpury; a straight line from the city walls of Rajpury to the town of Subharnapury; and a straight line from the town of Subharnapury to the mouth of the Bangputsa Canal, on the Chow Phya River.

ARTICLE XII.

Incorporation of this Agreement in the Treaty.

The said Royal Commissioners agree, on the part of the Siamese Government, to incorporate all the Articles of this Agreement in the Treaty concluded by the Siamese Plenipotentiaries and Sir John Bowring, on the 18th April, 1855, whenever this shall be desired by Her Britannic Majesty's Plenipotentiary.

In witness whereof the said Harry Smith Parkes, and the said Royal Commissioners, have sealed and signed this Agreement in duplicate, at Bangkok, on the thirteenth day of May, in the year one thousand eight hundred and fifty-six of the Christian era, corresponding to the ninth day of the waxing moon of the lunar month of Wesakh, in the year of the quadrupede serpent, being the year one thousand two hundred and eighteen of the Siamese astronomical era, which is the nineteenth of Her Britannic Majesty's, and sixth of Their present Siamese Majesties' reigns.

(L.S.) HARRY S. PARKES,

(Signatures and seals of the five Royal Commissioners.)

SCHEDULE OF TAXES ON GARDEN-GROUND, PLANTATIONS, OR OTHER LANDS.

SECTION I.—Trenched or raised lands planted with the following eight sorts of fruit-trees are subject to the long assessment, which is calculated on the trees grown on the land, and not on the land itself; and the amount to be collected annually by the proper

officers, and paid by them into the Royal Treasury, is indorsed on the title-deeds or official certificates of tenure.

1. *Betel-nut Trees.*

1st Class (Makek), height of stem from 3 to 4 fathoms, pay per tree	... .. 138 cowries.
2nd Class (Makto), height of stem from 5 to 6 fathoms, pay per tree	... .. 128 cowries.
3rd Class (Maktri), height of stem from 7 to 8 fathoms, pay per tree	... .. 118 cowries.
4th Class (Mak Pakarai) trees just commencing to bear, pay per tree	... .. 128 cowries.
5th Class (Mak lek) height of stem from 1 <i>sok</i> and upwards to size of 4th class, pay per tree	... .. 50 cowries.

2. *Cocoa-nut Trees.*

Of all sizes from 1 *sok* and upwards in height of stem, pay per three trees 1 salung.

3. *Siri Vines.*

All sizes from 5 *sok* in height and upwards pay per tree or pole when trained on tunglang trees ... 200 cowries.

4. *Mango Trees.*

Stem of 4 *kam* in circumference at the height of 3 *sok* from the ground, or from that size and upwards, pay per tree 1 fuang.

5. *Map'rang Trees.*

Are assessed at the same rate as mango trees.

6. *Durian Trees.*

Stem of 4 *kam* in circumference at the height of 3 *sok* from the ground, or from that size and upwards, pay per tree 1 tical.

7. *Mangosteen Trees.*

Stem of 2 *kam* in circumference at the height of 1½ *sok* from the ground, pay per tree 1 fuang.

8. *Langsat Trees.*

Are assessed at the same rate as Mangosteen trees.

Note.—The long assessment is made under ordinary circumstances once only in each reign, and plantations or lands having

once been assessed at the above-mentioned rates, continue to pay the same annual sum, which is indorsed on the official certificate of tenure (subject to remissions granted in case of the destruction of the trees by drought or flood) until the next assessment is made, regardless of the new trees that may have been planted in the interval, or the old trees that may have died off. When the time for a new assessment arrives, a fresh account of the trees is taken, those that have died since the former one being omitted, and those that have been newly planted being inserted, provided they have obtained the above-stated dimensions; otherwise they are free of charge.

SECTION II.—Trenched or raised lands planted with the following eight sorts of fruit-trees are subject to an annual assessment, calculated on the trees grown on the lands, in the following manner, that is to say :

1. *Orange Trees.*

Five kinds (Som Kio wan, Som pluck bang, Som l'eparot, Som Kao Sungö), stem of 6 *ngiu* in circumference close to the ground, or from that size and upwards, pay per 10 trees 1 fuang.
 All other kinds of orange trees of the same size as the above, pay per 15 trees 1 fuang.

2. *Jack-fruit Trees.*

Stem of 6 *kam* in circumference, at the height of 2 *sok* from the ground, or from that size and upwards, pay per 15 trees 1 fuang.

3. *Bread-fruit Trees.*

Are assessed at the same rate as jack-fruit trees.

4. *Mak Fai Trees.*

Stem of 4 *kam* in circumference, at the height of 2 *sok* from the ground, or from that size and upwards, pay per 12 trees 1 fuang.

5. *Guava Trees.*

Stem of 2 *kam* in circumference, at the height of 1 *kub* from the ground, or from that size and upwards, pay per 12 trees 1 fuang.

6. *Saton Trees.*

Stem of 6 *kam* in circumference, at the height of 2 *sok* from the ground, or from that size and upwards, pay per 5 trees 1 fuang.

7. *Rambutan Trees.*

Stem of 4 *kam* in circumference, at the height of 2 *sok*
 from the ground, or from that size and upwards,
 pay per 5 trees 1 fuang

8. *Pine Apples.*

Pay per 1,000 plants 1 salung 1 fuang.

SECTION III.—The following six kinds of fruit-trees, when planted in trenched or untrenched lands, or in any other manner than as plantations subject to the long assessment described in Section I, are assessed annually at the under-mentioned rates:—

Mangoes	1 fuang per tree.
Tamarinds	1 do. per 2 trees.
Custard apples	1 do. per 20 trees.
Plantains	1 do. per 50 roots.
Siri vines (trained on poles)	1 do. per 12 vines.
Pepper vines	1 do. per 12 do.

SECTION IV.—Trenched or raised lands planted with annuals of all sorts, pay a land tax of 1 salung and 1 fuang per *rai* for each crop.

An annual fee of 3 salungs and 1 fuang is also charged by the Nairowang (or local tax collector) for each lot or holding of trenched land for which an official title or certificate of tenure has been taken out.

When held under the long assessment, and planted with the eight sorts of fruit-trees described in Section I, the annual fee paid to the Nairowang for each lot or holding of trenched land for which an official title or certificate of tenure has been taken out, is 2 salungs.

SECTION V.—Untrenched or low lands, planted with annuals of all sorts, pay a land tax of 1 salung and 1 fuang per *rai* for each crop.

No land tax is levied on these lands if left uncultivated.

Sixty cowries per tical are levied as expenses of testing the quality of the silver on all sums paid as taxes under the long assessment. Taxes paid under the annual assessment are exempted from this charge.

Lands having once paid a tax according to one or other of the above-mentioned rates, are entirely free from all other taxes or charges.

(L.S.) HARRY S. PARKES.

(Signatures and seals of the five Royal Commissioners.)

CUSTOM-HOUSE REGULATIONS.

1. A custom-house is to be built at Bangkok, near to the anchorage, and officers must be in attendance there between 9 A.M. and 3 P.M. The business of the custom-house must be carried on between those hours. The tide-waiters, required to superintend the landing or shipment of goods, will remain in waiting for that purpose, from daylight until dark.

2. Subordinate Custom-house officers shall be appointed to each ship; their number shall not be limited, and they may remain on board the vessel or in boats alongside. The Custom-house officers appointed to the vessels outside the bar will have the option of residing on board the ships, or of accompanying the cargo-boats on their passage to and fro.

3. The landing, shipment, or transshipment of goods may be carried on only between sunrise and sunset.

4. All cargo landed or shipped shall be examined and passed by the Custom-house officers within twelve hours of daylight after the receipt at the custom-house of the proper application. The manner in which such application and examination is to be made shall be settled by the Consul and the Superintendent of Customs.

5. Duties may be paid by British merchants in ticals, foreign coin, or bullion, the relative values of which will be settled by the Consul and the proper Siamese officers. The Siamese will appoint whomsoever they may please to receive payment of the duties.

6. The Receiver of duties may take from the merchants 2 salungs per catty of 80 ticals for testing the money paid to him as duties; and for each stamped receipt given by him for duties he may charge 6 salungs.

7. Both the Superintendent of Customs and the British Consul shall be provided with sealed sets of balance yards, money weights, and measures, which may be referred to in the event of any difference arising with the merchants as to the weight or dimensions of money or goods.

(L.S.) HARRY S. PARKES.

(Signatures and seals of the five Royal Commissioners.)

No. 150.

AGREEMENT BETWEEN GREAT BRITAIN AND SIAM FOR REGULATING
THE TRAFFIC IN SPIRITUOUS LIQUORS.

Signed at London, April 6, 1883.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of His Majesty the King of Siam, being desirous of making satisfactory arrangements for the regulation of the traffic in spirituous liquors in Siam, the Undersigned, duly authorized to that effect, have agreed as follows:—

ARTICLE I.

Duty on Spirits, Wines, and Beer, Imported by British Subjects into Siam.

Spirits of all kinds not exceeding in alcoholic strength those permitted to be manufactured by the Siamese Government in Siam may be imported and sold by British subjects on payment of the same duty as that levied by the Siamese excise laws upon spirits manufactured in Siam; and spirits exceeding in alcoholic strength spirits manufactured in Siam as aforesaid may be imported and sold upon payment of such duty and of a proportionate additional duty for the excess of alcoholic strength above the Siamese Government standard.

Beer and wines may be imported and sold by British subjects on payment of the same duty as that levied by the Siamese excise laws upon similar articles manufactured in Siam, but the duty on imported beer and wines shall in no case exceed 10 per cent. *ad valorem*.

The said duty on imported spirits, beer, and wines shall be in substitution of, and not in addition to, the import duty of 3 per cent. leviable under the existing Treaties; and no further duty, tax, or imposition whatever shall be imposed on imported spirits, beer, and wines.

Excise Duty on Spirits, Wines, and Beer, Manufactured by British Subjects in Siam.

The scale of excise duty to be levied upon spirits, beer, and wines manufactured in Siam shall be communicated by the Siamese Government to Her Majesty's Agent and Consul-General at

Bangkok, and no change in the excise duties shall affect British subjects until after the expiration of six months from the date at which such notice shall have been communicated by the Siamese Government to Her Majesty's Representative at Bangkok.

ARTICLE II.

Testing of Imported Spirits.

The testing of spirits imported into the Kingdom of Siam by British subjects shall be carried out by European officials nominated by the Siamese authorities, and by an equal number of experts nominated by Her Majesty's Consul. In case of difference the parties shall nominate a third person, who shall act as umpire.

ARTICLE III.

Siam may Stop Importation of Spirits Deleterious to Public Health.

The Siamese Government may stop the importation by British subjects into Siam of any spirits which, on examination, shall be proved to be deleterious to the public health; and they may give notice to the importers, consignees, or holders thereof to export the same within three months from the date of such notice, and if this is not done the Siamese Government may seize the said spirits and may destroy them, provided always that in all such cases the Siamese Government shall be bound to refund any duty which may have been already paid thereon.

The testing of spirits imported by British subjects, and which may be alleged to be deleterious, shall be carried out in the manner provided by Article II.

The Siamese Government engage to take all necessary measures to prohibit and prevent the sale of spirits manufactured in Siam which may be deleterious to the public health.

ARTICLE IV.

Licences for Retailing Spirits, Wines, and Beer.

Any British subject who desires to retail spirituous liquors, beer, or wines in Siam must take out a special licence for that purpose from the Siamese Government, which shall not be refused without just and reasonable cause.

This licence may be granted upon conditions to be agreed upon from time to time between the two Governments.

ARTICLE V.

Importation of Spirits, Wines, and Beer.—Most-favoured-nation Treatment.

British subjects shall at all times enjoy the same rights and privileges in regard to the importation and sale of spirits, beer,

wines, and spirituous liquors in Siam as the subjects of the most favoured nation ; and spirits, beer, wines, and spirituous liquors coming from any part of Her Britannic Majesty's dominions shall enjoy the same privileges in all respects as similar articles coming from any other country the most favoured in this respect.

It is therefore clearly understood that British subjects are not bound to conform to the provisions of the present Agreement to any greater extent than the subjects of other nations are so bound.

ARTICLE VI.

Duration of the Agreement.

Subject to the provisions of Article V, the present Agreement shall come into operation on a date to be fixed by mutual consent between the two Governments, and shall remain in force until the expiration of six months' notice given by either Party to determine the same.

The existing Treaty engagements between Great Britain and Siam shall continue in full force until the present Agreement comes into operation—and after that date, except in so far as they are modified hereby.

Should the present Agreement be terminated the Treaty engagements between Great Britain and Siam shall revive, and remain as they existed previously to the signature hereof.

ARTICLE VII.

Definition of "British Subjects," and of "Her Majesty's Consul."

In this Agreement the words "British subject" shall include any naturalized or protected subject of Her Britannic Majesty and the words "Her Majesty's Consul" shall include any Consular officer of Her Britannic Majesty in Siam.

In witness whereof the Undersigned have signed the same in duplicate, and have affixed thereto their seals.

Done at London the sixth day of April, 1883, corresponding to the fourteenth day of the waning moon or the month Phagunamas, of the year Horse, Fourth Decade, 1244, of the Siamese Astronomical Era.

(L.S.) GRANVILLE.

(L.S.) PRISDANG.

No. 151.

TREATY BETWEEN GREAT BRITAIN AND SIAM FOR THE PREVENTION OF CRIME IN THE TERRITORIES OF CHIENGMAI, LAKON, AND LAMPOONCHI, AND FOR THE PROMOTION OF COMMERCE BETWEEN BRITISH BURMAH AND THE TERRITORIES AFORESAID.

Signed at Bangkok, September 3, 1883.

[Ratifications exchanged May 7, 1884.]

WHEREAS the relations of Peace, Commerce, and Friendship happily subsisting between Great Britain and Siam are regulated by a Treaty bearing date the 18th April, 1855, and a Supplementary Agreement dated 13th May, 1856; and, as regards the territories of Chiengmai, Lakon, and Lampoonchi, by a special Treaty between the Government of India and the Government of His Majesty the King of Siam, bearing date the 14th January, 1874;

And whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the King of Siam, Sovereign of Laos, Malays, Kareans, &c., &c., &c., with a view to the more effectual prevention of crime in the territories of Chiengmai, Lakon, and Lampoonchi, belonging to Siam, and to the promotion of commercial intercourse between British Burmah and the territories aforesaid, have agreed to abrogate the said Treaty Special concluded on the 14th January, 1874, and to substitute therefor a new Treaty, and have named their respective Plenipotentiaries for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, William Henry Newman, Esquire, Her Majesty's Acting Agent and Consul-General in Siam;

And His Majesty the King of Siam, Sovereign of Laos, Malays, Kareans, &c., his Excellency Chow Phya Bhanwongse Maha Kosa Thibodi, Grand Cross of the Most Honourable Order of the Crown of Siam, Grand Cross of the Most Noble Order of the Chula Chom Klao, Grand Officer of the Most Exalted Order of the White Elephant, Member of the Privy Council, Minister for Foreign Affairs; Phya Charon Raj Maitri, Grand Officer of the Most Exalted Order of the White Elephant, Knight Commander of the Most Noble Order of the Chula Chom Klao, Member of the Privy Council,

Chief Judge of the International Court ; and Phya Thep Prachun, Grand Cross of the Most Honourable Order of the Crown of Siam, Knight Commander of the Most Noble Order of the Chula Chom Klao, Grand Officer of the Most Exalted Order of the White Elephant, Member of the Privy Council, Under-Secretary of State of the War Department.

The said Plenipotentiaries, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Abrogation of Treaty between India and Siam of 1874.

The Treaty between the Government of India and the Government of His Majesty the King of Siam, bearing date the 14th January, 1874, shall be and is hereby abrogated.

ARTICLE II.

Trade of British Subjects with Chiengmai, Lakon, and Lampoonchi, and of Inhabitants of those Territories with India.

The Siamese authorities in Chiengmai, Lakon, and Lampoonchi will afford due assistance and protection to British subjects carrying on trade or business in any of those territories ; and the British Government in India will afford similar assistance and protection to Siamese subjects from Chiengmai, Lakon, and Lampoonchi carrying on trade or business in British territory.

ARTICLE III.

Passports.

British subjects entering Chiengmai, Lakon, and Lampoonchi must provide themselves with passports from the Chief Commissioner of British Burmah, or such officer as he appoints in this behalf, stating their names, calling, and the weapons they carry, and description. Such passports must be renewed for each journey, and must be shown to the Siamese officers at the frontier stations, or in the interior of Chiengmai, Lakon, and Lampoonchi on demand. Persons provided with passports and not carrying any articles prohibited under the Treaty of the 18th April, 1855, or the Supplementary Agreement of the 13th May, 1856, shall be allowed to proceed on their journey without interference ; persons unprovided with passports may be turned back to the frontier but shall not be subjected to further interference.

Passports may also be granted by Her Majesty's Consul-General at Bangkok and by Her Majesty's Consul or Vice-Consul at Chiengmai, in case of the loss of the original passport or of the

expiration of the term for which it may have been granted, and other analogous cases.

British subjects travelling in the Siamese territory must be provided with passports from the Siamese authorities.

Siamese subjects going from Chiengmai, Lakon, and Lampoonchi into British Burmah must provide themselves with passports from the authorities of Chiengmai, Lakon, and Lampoonchi respectively, stating their name, calling, description, and the weapons they carry. Such passports must be renewed for each journey, and must be shown to the British officer at the frontier stations or in the interior of British Burmah on demand.

Persons provided with passports and not carrying any prohibited article shall be allowed to proceed on their journey without interference. Persons unprovided with passports may be turned back at the frontier, but shall not be subjected to further interference.

ARTICLE IV.

Payment of Prescribed Duties on Burmah-Siam Frontier.

British subjects entering Siamese territory from British Burmah must, according to custom and the regulations of the country, pay the duties lawfully prescribed on goods liable to such duty.

Siamese subjects entering British territory will be liable, according to the regulations of the British Government, to pay the duties lawfully prescribed on goods liable to such duty.

Tables of such duties shall be published for general information.

ARTICLE V.

Prevention of Murder, Robbery, Dacoity, &c., in Chiengmai.

His Majesty the King of Siam will cause the Prince of Chiengmai to establish and maintain guard stations, under proper officers, on the Siamese bank of the Salween River, which forms the boundary of Chiengmai belonging to Siam, and to maintain a sufficient police force for the prevention of murder, robbery, dacoity, and other crimes of violence.

ARTICLE VI.

Extradition of Criminals between Burmah and Chiengmai, Lakon, and Lampoonchi.

If any persons accused or convicted of murder, robbery, dacoity, or other heinous crime in any of the territories of Chiengmai, Lakon, and Lampoonchi escape into British territory, the British authorities and police shall use their best endeavours to apprehend them. Such persons when apprehended shall,

if Siamese subjects, or subjects of any third Power, according to the extradition law for the time being in force in British India, be delivered over to the Siamese authorities at Chiengmai; if British subjects, they shall either be delivered over to the Siamese authorities, or shall be dealt with by the British authorities as the Chief Commissioner of British Burmah, or any officer duly authorized by him in this behalf, may decide.

If any persons accused or convicted of murder, robbery, dacoity, or other heinous crime in British territory, escape into Chiengmai, Lakon, or Lampoonchi, the Siamese authorities and police shall use their best endeavours to apprehend them. Such persons when apprehended shall, if British subjects, be delivered over to the British authorities, according to the Extradition Law for the time being in force in Siam; if Siamese subjects, or subjects of any third Power not having Treaty relations with Siam, they shall either be delivered over to the British authorities, or shall be dealt with by the Siamese authorities, as the latter may decide, after consultation with the Consul or Vice-Consul.

ARTICLE VII.

Appointment of a British Consular Officer at Chiengmai.

The interests of all British subjects coming to Chiengmai, Lakon, and Lampoonchi, shall be placed under the regulations and control of a British Consul or Vice-Consul, who will be appointed to reside at Chiengmai, with power to exercise civil and criminal jurisdiction in accordance with the provisions of Article II of the Supplementary Agreement of the 13th May, 1856, subject to Article VIII of the present Treaty.

ARTICLE VIII.

Appointment of Siamese Judges in Chiengmai, Lakon, and Lampoonchi with Civil and Criminal Jurisdiction.

His Majesty the King of Siam will appoint a proper person or proper persons to be a Commissioner and Judge, or Commissioners and Judges, in Chiengmai for the purposes hereinafter mentioned. Such Judge or Judges shall, subject to the limitations and provisions contained in the present Treaty, exercise civil and criminal jurisdiction in all cases arising in Chiengmai, Lakon, and Lampoonchi, between British subjects, or in which British subjects may be parties as complainants, accused, plaintiffs, or defendants, according to Siamese law: Provided always, that in all such cases the Consul or Vice-Consul shall be entitled to be present at the trial, and to be furnished with copies of the proceedings, which, when the defendant or accused is a British subject, shall be supplied free of charge, and to make any suggestions to the Judge or Judges which he may think proper in the interests of justice:

Provided also, that the Consul or Vice-Consul shall have power at any time, before Judgment, if he shall think proper in the interests of justice, by a written requisition under his hand, directed to the Judge or Judges, to signify his desire that any case in which both parties are British subjects, or in which the accused or defendant is a British subject, be transferred for adjudication to the British Consular Court at Chiengmai, and the case shall thereupon be transferred to such last-mentioned Court accordingly, and be disposed of by the Consul or Vice-Consul, as provided by Article II of the Supplementary Agreement of 13th May, 1856.

The Consul or Vice-Consul shall have access, at all reasonable times, to any British subject who may be imprisoned under a sentence or order of the said Judge or Judges, and, if he shall think fit, may require that the prisoner be removed to the Consular prison, there to undergo the residue of his term of imprisonment.

The Tariff of Court fees shall be published, and shall be equally binding on all parties concerned, whether British or Siamese.

ARTICLE IX.

Appeals from Chiengmai Courts in Civil and Criminal Cases to Bangkok.

In civil and criminal cases in which British subjects may be parties, and which shall be tried before the said Judge or Judges, either party shall be entitled to appeal to Bangkok; if a British subject, with the sanction and consent of the British Consul or Vice-Consul, and in other cases by leave of the presiding Judge or Judges.

In all such cases a transcript of the evidence, together with a Report from the presiding Judge or Judges, shall be forwarded to Bangkok, and the appeal shall be disposed of there by the Siamese authorities and Her Britannic Majesty's Consul-General in consultation:

Provided always that in all cases where the defendants or accused are Siamese subjects the final decision on appeal shall rest with the Siamese authorities; and that in all other cases in which British subjects are parties the final decision on appeal shall rest with Her Britannic Majesty's Consul-General.

Pending the result of the appeal, the Judgment of the Court at Chiengmai shall be suspended on such terms and conditions (if any) as shall be agreed upon between the said Judge or Judges and the Consul or Vice-Consul.

In such cases of appeal, as above set forth, the appeal must be entered in the Court of Chiengmai within a month of the original verdict, and must be presented at Bangkok within a reasonable time, to be determined by the Court at Chiengmai, failing which the appeal will be thrown out of Court,

ARTICLE X.

Production of Evidence in Civil and Criminal Cases pending in Consular and Siamese Courts by Authorities in British Burmah, Chiengmai, Lakon, and Lampoonchi.

The British authorities in the frontier districts of British Burmah, and the Siamese authorities in Chiengmai, Lakon, and Lampoonchi, will at all times use their best endeavours to procure and furnish such evidence and witnesses as may be required for the determination of civil and criminal cases pending in the Consular and Siamese Courts at Bangkok and in Chiengmai respectively; when the importance of the affair may render it necessary.

ARTICLE XI.

Conditions for cutting, &c., of Timber by British Subjects in Forests of Chiengmai, Lakon, and Lampoonchi.

British subjects desiring to purchase, cut, or girdle timber in the forests of Chiengmai, Lakon, and Lampoonchi must enter into a written agreement for a definite period with the owner of the forest. The agreement must be executed in duplicate, each party retaining a copy, and each copy must be sealed by the British Consul or Vice-Consul and a Siamese Judge and Commissioner at Chiengmai, appointed under Article VIII of this Convention, and be countersigned by a competent local authority, and every such agreement shall be duly registered in the British Consulate and in the Siamese Court at Chiengmai. Any British subject cutting or girdling trees in a forest without the consent of the owner of the forest obtained as aforesaid, or after the expiration of the agreement relating to it, shall be liable to pay such compensation to the owner of the forest as the British Consular Officer at Chiengmai shall adjudge.

Transfers of agreements shall be subject to the same formalities.

The charges for sealing, countersigning, and registration shall be fixed at a moderate scale, and published for general information.

ARTICLE XII.

Jurisdiction of Siamese Judges at Chiengmai as to Agreements for cutting Timber.

The Siamese Judges and Commissioners at Chiengmai appointed under Article VIII shall, in conjunction with the local authorities, endeavour to prevent the owners of forests from executing agreements with more than one party for the same timber or forests, and to prevent any person from illegally marking or effacing the marks on timber which has been lawfully cut or marked by another person, and they shall give such facilities as are in their power to the purchasers and fellers of timber to identify their property.

Should the owners of forests hinder the cutting, girdling, or removing of timber under agreements duly executed in accordance with Article XI of this Convention, the Siamese Judges and Commissioners of Chiengmai and the local authorities shall enforce the agreement, and the owners of such forests acting as aforesaid shall be liable to pay such compensation to the persons with whom they have entered into such agreements as the Siamese Judges and Commissioners at Chiengmai shall determine, in accordance with Siamese law.

ARTICLE XIII.

This Treaty not to affect provisions of Treaty of 1855 and Agreement of 1856.

Except as and to the extent specially provided, nothing in this Treaty shall be taken to affect the provisions of the Treaty of Friendship and Commerce between Her Majesty and the Kings of Siam of the 18th April, 1855, and the Agreement supplementary thereto of the 13th May, 1856.

ARTICLE XIV.

English Text of this Treaty to be binding.

This Treaty has been executed in English and Siamese, both versions having the same meaning; but it is hereby agreed that in the event of any question arising as to the construction thereof, the English text shall be accepted as conveying its true meaning and intention.

ARTICLE XV.

Duration of Treaty.

This Treaty shall come into operation immediately after the exchange of the ratifications thereof, and shall continue in force for seven years from that date, unless either of the two Contracting Parties shall give notice of their desire that it should terminate before that date. In such case, or in the event of notice not being given before the expiration of the said period of seven years, it shall remain in force until the expiration of one year from the day on which either of the High Contracting Parties shall have given such notice. The High Contracting Parties, however, reserve to themselves the power of making, by common consent, any modifications in these Articles which experience of their working may show to be desirable.

ARTICLE XVI.

Ratifications.

This Treaty shall be ratified, and the ratifications exchanged at Bangkok as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same in duplicate, and have affixed thereto their respective seals.

Done at Bangkok, the third day of September, in the year one thousand eight hundred and eighty-three of the Christian Era, corresponding to the second day of the waxing moon of the tenth month of the year of the Goat, one thousand two hundred and forty-five of the Siamese Era.

(L.S.) W. H. NEWMAN.

(L.S.) (Signatures of the

(L.S.) Siamese Plenipo-

(L.S.) tentiaries.)

Annex.

List of heinous crimes appended to the Treaty made between Great Britain and Siam with regard to Chiangmai, Lakon, and Lamponchi, this 3rd day of September, 1883, in connection with the provisions of Article VI of that Treaty with regard to the extradition of offenders:—

Murder,
Culpable homicide,
Dacoity,
Robbery,
Theft,
Forgery,
Counterfeiting coin or Government stamps.
Kidnapping,
Rape,
Mischief by fire or by any explosive substance.

(L.S.) W. H. NEWMAN.

(L.S.) (Signatures of the

(L.S.) Siamese Plenipo-

(L.S.) tentiaries.)

No. 152.

NOTES EXCHANGED BETWEEN GREAT BRITAIN AND SIAM EXTENDING
THE OPERATION IN SIAM OF THE TREATY OF SEPTEMBER 3, 1883.

December 1884—October 1896.

Mr. Satow to Chao Phya Bhanuwongse.

M. le Ministre,

Bangkok, December 31, 1884.

I HAVE the honour to acquaint your Excellency that Her Majesty's Government having been acquainted with the desire of His Majesty the King of Siam that the stipulations of the Treaty of the 3rd September, 1883, relating to the territories of Chiangmai, Lakhon, and Lampoonchi, by which among other matters it is provided that the Siamese Courts shall, in the first instance, exercise civil and criminal jurisdiction over British subjects in all cases arising in those territories, should be extended to the territories of Muang Nan and Phrë, have instructed me to express to the Government of His Majesty the King their concurrence in this arrangement.

The words Chiangmai, Lakhon, and Lampoonchi, in the Treaty of 1883, being thus taken to include the territories of Muang Nan and Phrë, it would appear that a similar extension of meaning should be given to those words as occurring in Mr. Gould's commission.

If your Excellency concurs with this view, I have the honour to request that the necessary instructions may be given to the proper authorities.

I avail, &c.

(Signed) E. M. SATOW.

Chao Phya Bhanuwongse to Mr. Satow.

Sir, Bangkok, January 10, 1885.

I BEG to acknowledge the receipt of your note of the 30th ultimo, informing me that Her Britannic Majesty's Government have concurred in the arrangement that the States of Nan and Phrë should be included in the meaning of the words Chiangmai, Lakhon, and Lampoonchi, in the Treaty of 1883, and you propose that a similar extension of meaning should be given to those words as occurring in the commission of the Vice-Consul appointed according to that Treaty.

In reply, I have the honour to state that His Serene Majesty's Government entirely concur in your proposal, and the necessary instructions to give effect to the arrangement in view shall accordingly be duly issued to the proper authorities.

I have further the honour to request that the words Muang Nan and Phrë should be inserted in the commission of any

Vice-Consul that may hereafter be appointed, in order that His Majesty's exequatur may be issued in accordance with the usual practice.

I take, &c.

(Signed)

CHAO PHYA BHANUWONGSE.

Mr. de Bunsen to Prince Devawongse.

M. le Ministre,

Bangkok, September 29, 1896.

WHEN the Consular district of Chiengmai was enlarged by the inclusion of Muang Nan and Phrë, an exchange of notes took place between his Excellency Chao Phya Bhanuwongse and Mr. E. Satow, by which it was agreed that the Treaty of September 1883, relating to Chiengmai, Lakhon, and Lampoonchi, should be extended to the added territories. The Siamese and British notes were dated respectively the 31st December, 1884, and the 10th January, 1885.

The Consular district in question having since been further extended to include the additional provinces named in Mr. Archer's commission as Consul, viz.: Muang Thön, Raheng, Sawankaloke, Sukotai, Utaradit, and Pichai, I desire to propose by this note that those additional provinces be in the same way held by the British and Siamese Governments to fall within the scope of the above-mentioned Treaty of September 1883, by which, among other matters, it is provided that a specially constituted Siamese Court shall, in the first instance, exercise civil and criminal jurisdiction, under express conditions as to Consular intervention, over British subjects concerned in civil or criminal cases.

If your Royal Highness will inform me, by an official note in reply to this one, that you concur with the above proposal, and that the necessary instructions to give effect to it will be duly issued to the proper authorities, I will inform Her Majesty's Government that the arrangement has been concluded between us.

I avail, &c.

(Signed)

M. DE BUNSEN.

Prince Devawongse to Mr. de Bunsen.

M. le Chargé d'Affaires,

Bangkok, October 28, 1896.

By your note dated the 29th September last, you propounded to His Majesty's Government a proposal to the effect that the Provinces of Thön, Raheng, Sawankaloke, Sukotai, Utaradit, and Pichai, should be held by the British and Siamese Governments to fall within the scope of the Treaty of September 1883, in the same way as, in 1885, the Provinces of Nan and Phrë were held to be under the provisions of that Treaty, by which for one thing

it is provided that a specially constituted Siamese Court shall, in the first instance, exercise civil and criminal jurisdiction, under express conditions as to Consular intervention, over British subjects concerned in civil or criminal cases.

I now take great pleasure in officially informing you that His Majesty's Government entirely concur with the proposal set forth by you in the said note, and that the necessary instructions for effecting it will be duly issued to the authorities concerned at an early date.

Accept, &c.

(Signed) **DEVAWONGSE,**
Minister for Foreign Affairs.

SPAIN.

No. 153.

TREATY OF PEACE AND FRIENDSHIP BETWEEN GREAT BRITAIN
AND SPAIN.*Signed, at Madrid, May 23, 1667.*

ARTICLE I.

Peace and Friendship.

(Translation.)

FIRST, it is agreed and concluded, that from this day forward there shall be, between the 2 Crowns of Great Britain and Spain, a general, good, sincere, true, firm, and perfect Amity, Confederation and Peace, which shall endure for ever, and be observed inviolably, as well by land as by sea, and fresh waters; and also between the Lands, Countries, Kingdoms, Dominions, and Territories belonging unto, or under the obedience of either of them. And that their Subjects, People, and Inhabitants respectively, of what condition, degree, or quality soever, from henceforth reciprocally, shall help, assist, and show to one another all manner of love, good offices, and friendship.

ARTICLE II.

Freedom of Travel and Trade.—National and Most-favoured-nation Treatment.

That neither of the said Kings, nor their respective People, Subjects, or Inhabitants within their dominions, upon any pretence, may, in public or secret, do, or procure to be done, anything against the other, in any place, by sea or land, nor in the Ports or Rivers of the one or the other, but shall treat one another with all love and friendship; and may, by water and by land, freely and securely pass into the Confines, Countries, Lands Kingdoms, Islands, Dominions, Cities, Towns, Villages, walled or without wall, fortified or unfortified, their Havens and Ports (where hitherto trade and commerce hath been accustomed), and there trade, buy, and sell, as well of and to the Inhabitants of the respective places, as those of their own Nation, or any other Nation that shall be or come there.

ARTICLE III.

Injuries inflicted by Subjects of one Power on those of the other.

That the said Kings of Great Britain and Spain shall take care that their respective People and Subjects from henceforward do abstain from all force, violence or wrong; and if any injury shall be done by either of the said Kings, or by the People or Subjects of either of them, to the People or Subjects of the other, against the Articles of this Alliance, or against common right, there shall not therefore be given Letters of reprisal, marque, or counter-marque, by any of the Confederates, until such time as justice is sought and followed in the ordinary course of Law. But if justice be denied or delayed, then the King, whose People or Inhabitants have received harm, shall ask it of the other, by whom (as is said) the justice shall have been denied or delayed, or of the Commissioners that shall be by the one King or the other appointed to receive and hear such demands, to the end that all such differences may be compounded in friendship, or according to Law. But if there should be yet a delay, or justice should not be done, nor satisfaction given within 6 months after having the same so demanded, then may be given Letters of reprisal, marque, or counter-marque.

ARTICLE IV.

Freedom of Commerce and Navigation.

That between the King of Great Britain, and the King of Spain, and their respective People, Subjects, and Inhabitants, as well as upon sea as upon land and fresh waters, in all and every their Kingdoms, Lands, Countries, Dominions, Confines, Territories, Provinces, Islands, Plantations, Cities, Villages, Towns, Ports, Rivers, Creeks, Bays, Streights, and Currents, where hitherto trade and commerce hath been accustomed, there shall be free trade and commerce, in such way and manner, that without Safe Conduct, and without general or particular License, the People and Subjects of each other may freely, as well by land as by sea, and fresh waters, navigate and go into their said Countries, Kingdoms, Dominions, and all the Cities, Ports, Currents, Bays, Districts, and other places thereof; and may enter into any Port with their ships laden or empty, carriage or carriages wherein to bring their merchandise, and there buy and sell what and how much they please, and also at just and reasonable rates provide themselves with provisions and other necessary things for their subsistence and voyage; and also may repair their Ships and carriages and from thence again freely depart with their Ships, carriages, goods, merchandise, and estate, and return to their own Countries, or to such other places as they shall think fit, without any molestation or impediment, so that they pay the Duties and Customs which shall be due, and saving to either side the Laws and Ordinances of their Country.

ARTICLE V.

Export Duties in Spanish Dominions.—Most-favoured-nation and National Treatment.

Item, it is likewise agreed, that for the merchandises which the Subjects of the King of Great Britain shall buy in Spain, or other the Kingdoms or Dominions of the King of Spain, and shall carry in their own Ships, or in Ships hired or lent unto them, no new Customs, Toll, Tenths, Subsidies, or other Rights or Duties whatsoever, shall be taken or increased, other than those which, in the like case, the Natives themselves, and all other Strangers are obliged to pay; and the Subjects aforesaid, buying, selling, and contracting for their merchandises, as well in respect of the prices, as of all duties to be paid, shall enjoy the same privileges which are allowed to the natural Subjects of Spain; and may buy and lade their ships with such goods and merchandises; which said ships being laden, and Customs paid for the goods, shall not be detained in Port upon any pretence whatsoever; nor shall the Laders, Merchants, or Factors who bought and loaded the goods aforesaid, be questioned after the departure of the said ships, for any matter or thing whatsoever concerning the same.

ARTICLE VI.

Municipal Taxes, &c.

And to the end that the Officers and Ministers of all Cities, Towns, and Villages belonging to either, may neither demand nor take from the respective Merchants and People, greater Taxes, Duties, stipends, recompenses, gifts, or any other charges, than what ought to be taken by virtue of this Treaty; and that the said Merchants and People may know and understand with certainty what is ordained in all things touching this; it is agreed and concluded, that Tables and Lists shall be put up at the doors of the Custom Houses and Registries of all the Cities, Villages, and Towns of or appertaining to one or the other King where such rights and excises or customs are usually paid; in which, how much, and of what quality, such rights, customs, subsidies, and payments, either to the Kings or any the aforesaid Officers are allowed, shall be put down in writing, declaring as well the species of what is imported, as what is carried out. And if any Officer, or any other in his name, upon any pretence whatever, in public or secret, directly or indirectly, shall ask or receive of any Merchant or other Person respectively, any sum of money or other thing, by the name of right, due, stipend, allowance, or recompense (though it be by the way of voluntary donative) more or otherwise than aforesaid, the said Officer or his Deputy being in such manner guilty, and convicted before a competent Judge in the Country where the crime is committed, shall be put in prison for 3 months, and shall pay thrice the value of the thing so received; of which

the half shall be for the King of the Country where the crime is committed, and the other half for the Denunciator, for the which he may sue his right before any competent Judge of the Country where it shall happen.

ARTICLE VII.

Freedom of Commerce.

That it shall be lawful for the Subjects of the King of Great Britain to bring out and carry into Spain, and all or any Lands and Dominions of the King of Spain (where heretofore they have used trade and commerce) and trade there with all kinds of merchandise, cloths, manufactures, and things of the Kingdom of Great Britain, and the manufactures, goods, fruits, and kinds of the Islands, Towns, and Plantations to him appertaining, and what shall have been bought by English Factors on this side, or further on the other side of the Cape of *Buena Esperança*, without being enforced to declare to whom, or for what price they sell their said merchandise and provisions, or being molested for the errors of the Masters of the Ships, or others, in the entry of the goods; and at their pleasure to return again out of the Dominions of the King of Spain, with all, or any goods, estates, and merchandise, to any of the Territories, Islands, Dominions, and Countries of the King of England, or to any other place, paying the rights and tributes mentioned in the antecedent Chapters; and the rest of all their lading which is not brought to land, they may detain, keep, and carry away in their said Ship or Ships, Vessel or Vessels again, without paying any right or imposition whatsoever for it, as if therewith they had never been within any Bay or Port of the Catholic King. And all the goods, estates, merchandise, Ships, or other Vessels, with any things introduced into the Dominions or places of the Crown of Great Britain as Prizes, and judged for such in the said Dominions and places, shall be taken for goods and merchandise of Great Britain, comprehended so by the intention of this Article.

ARTICLE VIII.

Importation into Spanish Dominions of East Indian Products.

That the Subjects and Vassals of the Most Serene King of Great Britain may bring and carry to all and singular the Dominions of the King of Spain, any fruits and commodities of the East Indies, it appearing by testimony of the Deputies of the East India Company in London, that they are of, or have come from the English Conquests, Plantations or Factories, with like privilege, and according to what is allowed to the Subjects of the United Provinces, by the Royal *Cedulas* of *Contravando*, bearing date the 27th of June, and the 3rd of July, 1663, and published on the 30th of June, and 4th of July the same year. And for what

may concern both the Indies, and any other parts whatsoever, the Crown of Spain doth grant to the King of Great Britain and his Subjects, all that is granted to the United States of the Low Countries and their Subjects, in their Treaty of Munster, 1648,* point for point, in as full and ample manner as if the same were herein particularly inserted, the same rules being to be observed whereunto the Subjects of the said United States are obliged, and mutual offices of friendship to be performed from one side to the other.

ARTICLE IX.

Privileges and Immunities to British Merchants in Spanish Dominions granted by Cédulas.

That the Subjects of the King of Great Britain, trading, buying, and selling in any of the Kingdoms, Governments, Islands, Ports, or Territories, of the said King of Spain, shall have, use, and enjoy all the privileges and immunities which the said King hath granted and confirmed to the English Merchants that reside in Andalusia, by his Royal *Cédulas* or Orders, dated the 19th day of March, the 26th day of June, and the 9th day of November, 1645. His Catholic Majesty by these Presents re-confirming the same as a part of this Treaty between the 2 Crowns. And to the end that it be manifest to all, it is consented, that the said Schedules (as to the whole substance thereof), be passed and transferred to the body of the present Articles, in the name and favour of all and singular the Subjects of the King of Great Britain, residing and trading in any places whatsoever within His Catholic Majesty's Dominions.

ARTICLE X.

Vessels.—Search by Customs Officers.

That the Ships, or any other Vessels that shall belong to the King of Great Britain, or his Subjects, navigating into the King of Spain's Dominions, or any of his Ports, shall not be visited by the Judges of Contraband, or by any other Officer or Person, by his own, or by any other authority; nor shall any Soldiers, Armed Men, or other Officers or Persons, be put on board any of the said Ships or Vessels; nor shall the officers of the Custom House of the one or the other Party, search in any Vessels or Ships belonging to the People of the one or the other, which shall enter into their Regions, Dominions, or respective Ports, until their said Ships or Vessels are unladen, or until they have carried on shore all the lading and merchandise which they declare they resolve to disembark in the said Port; nor shall the Captain, Master, or any other of the Company of the said Ships be imprisoned, or they or their Boats detained on shore; but in the interim, Officers of the Custom House may be put on board the said Vessels or Ships, so

* See p. 807.

they exceed not the number of 3 for each Ship, to see that no goods or merchandise be landed out of the said Ships or Vessels, without paying such Duties as by these Articles either Party is obliged to pay : which said Officers are to be without any charge to the Ship or Ships, Vessel or Vessels, their Commanders, Mariners, Company, Merchants, Factors, or Proprietors. And when it happens that the Master or Owner of any Ship shall declare the whole lading of his said Ship is to be discharged in any Port, the entry of the said lading shall be made in the Custom House after the usual manner ; and if, after the entry made, any other goods be found in the said Ship or Ships, more than what are contained in the said entry, 8 working days shall be allowed them on which they may work (which shall be reckoned from the day they began to unlade) to the end that the concealed goods may be entered, and the confiscation of them prevented : and in case that, in the time limited, the entry or manifestation of them shall not have been made, then such particular goods only, which shall be found, as aforesaid, though the unlading be not finished, shall be confiscated, and not any other other ; nor shall other trouble be given, or punishment inflicted on the Merchant or Owner of the Ship ; and when the Ships or Vessels are reladen, they may have freedom to go out again.

ARTICLE XI.

Freedom of Navigation.

That the Ship or Ships appertaining to the one or the other King, or to their respective People and Subjects, that shall enter into any Ports, Lands, or Dominions of the one or the other, and shall discharge any part of their goods and merchandises in any Port or Haven, being consigned with the rest to other places within or without the said Dominions, shall not be obliged to register or pay the rights of any other goods or merchandise, than of that which they shall unlade in the said Port or Haven, nor be constrained to give bond for the goods they shall carry to other places, nor any other security if it be not in case of felony, debt, treason, or other capital crime.

ARTICLE XII.

Drawbacks.

Whereas the one moiety of the Custom of all foreign goods and merchandises imported into England, is allowed and returned back to the Importer, if the said goods be exported out of the said Kingdom within 12 months after the first landing, upon oath made that they are the same goods which paid Custom inwards, and that if they be not reshipped within the said 12 months, yet they may at all times be exported without paying any Custom or Duty outwards : it is therefore agreed that if any the Subjects of the

King of Great Britain shall hereafter land any goods or merchandise, of what growth or nature soever they be, in any of the Ports of His Catholic Majesty, and having entered them, and paid the Custom which by this Treaty ought to be paid, and shall afterwards desire to transport them, or any part of them, to any other place whatsoever, for a better market, it shall and may be lawful for him or them so to do freely, without paying or being demanded any other Custom or Duty at all for the same, he or they making oath, if required thereunto, that they are the same goods for which Custom was paid at their landing: and in case that the Subjects, People, and Inhabitants of the Dominions of either Party shall unlade or have in any City, Town, or Village respectively, any goods, merchandises, fruits, or estates, and have paid the Customs due, according to what hath been declared, and after that, not being able to put them off, shall resolve to remit them to some other City, Town, or Village of the said Dominions, they may not only do it without difficulty or impediment, and without paying other rights than what were due at their entry, but likewise the Custom or rights shall not be paid again in any other part of the said Dominions, bringing Certificates from the Officers of the Custom House that they were paid before in the due form. And the chief Farmers and Commissioners of the King of Spain's Rents in all places or some other Officer or Officers to be appointed for that purpose, shall at all times permit and suffer the transportation of all such goods and merchandises from place to place, and give sufficient Certificate to the Owners thereof, or their Assigns, of their having paid their Custom at their first landing, whereby they may be carried to, and landed at any other Port or place of the said jurisdiction, free from all Duties or Impediments whatsoever, as aforesaid, saving always the right of any third Person.

ARTICLE XIII.

Vessels in Distress.

That it shall be lawful for the Ships belonging to the Subjects of the one or the other King, to anchor in the Roads or Bays of either, without being constrained to enter into Port; and in case they be necessitated to enter thereinto, either by distress of weather, fear of Enemies, Pirates, or any other accident, in case the said Ships be not bound to an Enemy's Port, and carrying thither Contraband goods (whereof, without some clear proof, they shall not be questioned) it shall be lawful for the said Subjects to return to sea freely, when they please, with their Ships and goods, so as they do not break bulk, or expose anything to sale; and that when they cast anchor, or enter the Ports aforesaid, they be not molested or visited; and it shall suffice, that, in this case, they show their Passports or Sea-papers, which, being seen by the respective Officers of either King, the said Ships shall return freely to sea without any molestation.

ARTICLE XIV.

Examination of Vessels' Papers by Vessels of War.—Passports.

And if any Ship or Ships belonging to the Subjects and Merchants of the one or the other, entering into Bays, or in the open Sea, shall be encountered by the Ships of the said Kings, or of Privateers, their subjects, the said Ships, to prevent all disorders, shall not come within cannon-shot, but shall send their Long-boat, or Pinnace, to the Merchant-Ship, and only 2 or 3 men on board, to whom the Master or Owner shall show his Passports and Sea-letters, according to the form which shall be inserted at the end of this Treaty, whereby, not only the Ship's lading, but the place to which she belongs, and as well the Master and Owner's name, as the name of the Ship may appear; by which means the quality of the Ship, and her Master or Owner, will be sufficiently known, as also the commodities she carries, whether they be Contraband or not to the which Passports and Sea-letters entire faith and credit shall be given, so much the rather for that, as well on the part of the King of England as of the King of Spain, some countersigns shall be given (if it shall be found necessary), whereby their authenticity may the better appear, and that they may not be in any wise falsified.

ARTICLE XV.

Export of Prohibited Articles.

If any prohibited merchandise or goods shall be exported from the Kingdoms, Dominions, and Territories of either of the said Kings, by the respective People or Subjects of the one or the other, in such case the prohibited goods only shall be confiscated and not the other goods; neither shall the Delinquent incur any other punishment, except the said Delinquent shall carry out from the respective Kingdoms or Dominions of the King of Great Britain, the proper coin, wool, or fullers'-earth of the said Kingdoms; or shall carry out of the respective Kingdoms or Dominions of the said King of Spain any gold or silver, wrought or unwrought; in either of which cases the Laws of the respective Countries are to take place.

ARTICLE XVI.

Access to Ports by Vessels of War and Merchant-Vessels.

That it shall be lawful for the People and Subjects of both Kings to have access to the respective Ports of the one and the other, and there remain and depart again with the same freedom, not only with their Ships and other Vessels for trade and commerce, but also with their other Ships fitted for War, armed and disposed to resist and engage the Enemy, and arriving by stress of weather to repair their Ships, or furnish themselves with provisions; so that, entering willingly, they be not so numerous that

they give just occasion for suspicion, to which end they are not to exceed the number of 8, nor continue in their Havens, nor about their Ports, longer time than they shall have just cause, for the repair of their Ships, to take in provisions, or other necessary things, much less be the occasion of interrupting the free commerce and coming in of other Ships of Nations in amity with either King; and when an unusual number of Men-of-War, by accident, shall come into any Port, it shall not be lawful for them to come into the said Ports or Havens, not having first obtained permission of the King unto whom the said Ports do belong, or the Governors of the said Ports, if they be not forced thereinto by stress of weather, or other necessity, to avoid the danger of the sea; and in such case they shall presently acquaint the Governor or Chief Magistrate of the place with the cause of their coming; nor shall they remain there any longer time than the said Governor or Magistrate shall think convenient, or do any act of hostility in such Ports that may prove of prejudice to the one or the other of the said Kings.

ARTICLE XVII.

Immunity of Persons and Goods.

That neither the said King of Great Britain, nor the King of Spain, by any mandate general nor particular, nor for any cause whatsoever, shall embark or detain, hinder or take for his respective service, any Merchant, Master of a Ship, Pilot or Mariner, their Ships, merchandise, cloths, or other goods belonging unto the one or the other, in their Ports or Waters, if it be not that either of the said Kings, or the Persons to whom the Ships belong, be first advertised thereof, and do agree thereunto; provided, that this shall not be construed to hinder or interrupt the ordinary course of justice and law in either Country.

ARTICLE XVIII.

Merchants, Mariners, &c., of either Nation may carry Defensive Arms in the Ports of the other.

That the Merchants and Subjects of the one and the other King, their Factors and Servants, as also their Ships, Masters, or Mariners, may, as well going as coming, upon sea and other waters, as in the Havens and Ports of the one and the other respectively, carry and use all kinds of arms, defensive and offensive, without being obliged to register them, as also upon land to carry and use them for their defence, according to the custom of the place.

ARTICLE XIX.

Disputes between Masters and Seamen to be settled by Consuls.

That the Captains, Officers, and Mariners of the Ships belonging to the People and Subjects of either Party, may not

commence an action, nor hinder or bring trouble upon their own Ships, their Captains, Officers, or Mariners, in the respective Kingdoms, Dominions, Lands, Countries or Places of the other, for their wages or salaries, or under any other pretence. Nor may they put themselves, or be received, by what pretext or colour soever, into the service or protection of the King of England, or King of Spain, or their Arms; but if any controversy happen between Merchants and Masters of Ships, or between Masters and Mariners, the composing thereof shall be left to the Consul of the Nation, but after such manner as he who shall not submit to the arbitrement, may appeal to the ordinary Justice of the place where he is Subject.

ARTICLE XX.

Importation of Cloth into the Low Countries.

And to the end that all impediments be taken away, and that the Merchants and Adventurers of the Kingdoms of Great Britain be permitted to return to Brabant, Flanders, and other the Provinces of the Low Countries, under the jurisdiction of the King of Spain; forasmuch as it hath been thought convenient, that all and any the Laws, Edicts, and Acts, by which the importation of cloth, or any cloth, or any other woollen manufacture, of what kind soever, dyed or undyed, milled or unmilled, into Flanders, or the other Provinces, hath been prohibited, be revoked and disannulled; and that if any Right, Tribute, Imposition, Charge or Money hath been, with permission, or otherwise, put upon cloths, or any of the aforesaid woollen manufactures so imported (except the ancient tribute upon every piece of cloth, and proportionably upon every other woollen manufacture, agreeably to the ancient Treaties and Agreements between the then Kings of England, and the Dukes of Burgundy, and Governors of the Low Countries), the same should be altogether void, and no such Tribute or Imposition from henceforth imposed or put upon the said cloths or manufactures, for any cause or pretext whatsoever; and that all the English Merchants, trading in any of the said Provinces, their Factors, Servants, or Commissioners, should enjoy from henceforward all the privileges, exemptions, immunities and benefits, which formerly have been agreed and given by the aforesaid ancient Treaties and Agreements, between the then Kings of England and the Dukes of Burgundy, and Governors of the Low Countries: it is therefore agreed, that Deputies shall be named by the King of Great Britain, who, meeting with the Marquis of Castel Rodrigo, or the Governor of those Provinces for the time being, or any other Ministers of the King of Spain, sufficiently authorized in this behalf, shall friendly treat and conclude hereupon; and also such further privileges, immunities, and necessary exemption, suitable to the present state of affairs, shall be granted for the encouragement of the said Merchants and Adventurers, and for the security of their trade and commerce, as shall be agreed upon in a special

Treaty, that shall be made between both the Kings, touching this particular.

ARTICLE XXI.

Free Intercourse with Countries at Peace with either Power.

The Subjects and Inhabitants of the Kingdoms and Dominions of the Most Serene Kings of Great Britain and Spain respectively, shall with all security and liberty sail to and traffic in all the Kingdoms, Estates, or Countries, which are or shall be in Peace, Amity, or Neutrality, with the one or the other.

ARTICLE XXII.

Free Intercourse of Subjects of one Power with Enemies of the other.

And they shall not be disturbed or disquieted in that liberty by the Ships or Subjects of the said Kings respectively, by reason of the hostilities which are or may be hereafter between either of the said Kings, and the aforesaid Kingdoms, Countries and States, or any of them, which shall be in friendship or neutrality with the other.

ARTICLE XXIII.

Seizure of Contraband of War.

And in case that within the said Ships respectively be found by the abovesaid means, any merchandise hereunder mentioned, being of contraband and prohibited, they shall be taken out and confiscated, before the Admiralty or other competent Judges; but for this reason the Ship, and the other free and allowed commodities which shall be found therein, shall in no wise be either seized or confiscated.

ARTICLE XXIV.

Definition of Contraband of War.

Moreover, for better prevention of the differences which might arise touching the meaning of forbidden merchandise and of contraband; it is declared and agreed, that under this name shall be comprehended all fire-arms, as ordnance, musquets, mortar-pieces, petards, bombs, granadoes, fire-crancels, fire-balls, musquet-rests, bandeliers, gunpowder, match, salt-petre, and bullets; likewise under the name of forbidden merchandise, are understood all other arms, as pikes, swords, pots, helmets, backs and breasts, halberds, javelins, and such like armour; under this name is likewise forbidden the transportation of Soldiers, horses, their harnesses, cases of pistols, holsters, belts, and other furniture, formed and composed for the use of War.

ARTICLE XXV.

Articles not deemed to be Contraband of War.

Likewise, to prevent all manner of dispute and contention, it is agreed, that under the name of forbidden merchandise and of contraband, shall not be comprehended wheat, rye, barley, or other grains, or pulse, salt, wine, oil, and generally whatsoever belongs to the sustaining and nourishing of life, but they shall remain free, as likewise all other merchandises not comprehended in the preceding Article; and the transportation of them shall be free and permitted, although it be to the Towns and places of Enemies, unless such Towns and places be besieged and blocked up, or surrounded.

ARTICLE XXVI.

Goods of one Power not Contraband of War found on Vessels of the Enemies of the other to be liable to confiscation.

It is also agreed, that whatsoever shall be found laden by the Subjects or Inhabitants of the Kingdoms and Dominions of either of the said Kings of England and Spain aboard the Ships of the Enemies of the other, though it be not forbidden merchandise, shall be confiscated, with all things else which shall be found within the said Ships, without exception or reserve.

ARTICLE XXVII.

Privileges of Consuls.—Most-favoured-nation Treatment.

That the Consul which hereafter shall reside in any of the Dominions of the King of Spain, for the help and protection of the Subjects of the King of Great Britain, shall be named by the King of Great Britain, and he so named shall have and exercise the same power and authority in the execution of his charge, as any other Consul hath formerly had in the Dominions of the said King of Spain; and in like manner the Spanish Consul residing in England, shall enjoy as much authority as the Consuls of any other Nation have hitherto enjoyed in that Kingdom.

ARTICLE XXVIII.

Liberty of Conscience.

And that the Laws of commerce that are obtained by Peace may not remain unfruitful, as would fall out if the Subjects of the King of Great Britain, when they go to, come from, or remain in the Dominions or Lordships of the King of Spain, by reason of their commerce or other business, should be molested for ease of conscience; therefore that the commerce be secure, and without danger, as well upon land as at sea, the said King of Spain shall

provide, that the Subjects of the said King of Great Britain shall not be aggrieved contrary to the Laws of commerce, and that none of them shall be molested or disturbed for their conscience, so long as they give no public scandal or offence; and the said King of Great Britain shall likewise provide, for the same reasons, that the Subjects of the King of Spain shall not be molested or disturbed for their conscience against the Laws of commerce, so long as they give no public scandal or offence.

ARTICLE XXIX.

Payment for Goods sold.

That the People and Subjects respectively of one Kingdom, in the Dominions, Territories, Regions, or Colonies of the other, shall not be compelled to sell their merchandise for brass-metal coin, or exchange them for other coin or things, against their will; or having sold them, to receive the payment in other species than what they bargained for, notwithstanding any Law or other Custom contrary to this Article.

ARTICLE XXX.

Freedom of Residence.

That the Merchants of both Nations, and their Factors, Servants, and Families, Commissioners, or others by them employed; as also Masters of Ships, Pilots, and Mariners, may remain freely and securely in the said Dominions, Kingdoms, and Territories of either of the said Kings, and also in their Ports and Rivers; and the People and Subjects of the one King may have, and with all freedom and security enjoy, in all the Lands and Dominions whatsoever of the other, their proper houses to live in, their warehouses and magazines for their goods and merchandise, which they shall possess during the time for which they shall have taken, hired and agreed for them, without any impediment.

ARTICLE XXXI.

Non-interference with Books, Accounts and Papers.—Most-favoured-nation Treatment.

The Inhabitants and Subjects of the said Confederate Kings, in all the lands and places under the obedience of the one or the other, shall use and employ those Advocates, Proctors, Scriveners, Agents, and Solicitors, whom they think fit, the which shall be left to their choice, and consented to by the ordinary Judges, as often as there shall be occasion; and they shall not be constrained to show their books and papers of account to any Person, if it be not to give evidence for the avoiding law-suits and controversies; neither shall they be embarked, detained or taken out of their

hands, upon any pretence whatsoever. And it shall be permitted to the People and Subjects of either King, in the respective places where they shall reside, to keep their books of account, traffic and correspondence in what language they please, in English, Spanish, Dutch, or any other, the which shall not be molested, or subject to any inquisition. And whatsoever else hath been granted by either Party, concerning this particular, to any other Nation, shall be understood likewise to be granted here.

ARTICLE XXXII.

Seizure or Sequestration of Estates by Tribunals.

That in case the estate of any Person or Persons shall be sequestered or seized on by any Court of Justice or Tribunal whatsoever, within the Kingdoms and Dominions of either Party, and any estate or debt happen to lie in the hands of the delinquents belonging *bonâ fide* to the People and Subjects of the other, the said estate or debts shall not be confiscated by any of the said Tribunals, but shall be restored to the true Owners in specie, if they yet remain, and if not, the value of them (according to the Contract and Agreement which was made between the Parties) shall be restored within 3 months after the said sequestration.

ARTICLE XXXIII.

Goods and Estates of Deceased Persons.

That the goods and estates of the People and Subjects of the one King, that shall die in the Countries, Lands, and Dominions of the other, shall be preserved for the lawful Heirs and Successors of the Deceased; the right of any 3rd Person always reserved.

ARTICLE XXXIV.

Intestate Estates.

That the goods and estates of the Subjects of the King of Great Britain, that shall die without making a Will in the Dominions of the King of Spain, shall be put into Inventory, with their papers, writings, and books of account, by the Consul or other public Minister of the King of Great Britain, and deposited in the hands of 2 or 3 Merchants, that shall be named by the said Consul or public Minister, to be kept for the Proprietors and Creditors; and neither the Crusada, or any other Judicatory whatsoever, shall intermeddle therein; which also in the like case shall be observed in England towards the Subjects of the King of Spain.

ARTICLE XXXV.

Cemeteries for British Subjects in Spanish Dominions.

That a decent and convenient Burial-place shall be granted and appointed to bury the bodies of the Subjects of the King of Great Britain, who shall die within the Dominions of the King of Spain.

ARTICLE XXXVI.

Rupture of Friendly Relations.—Position of Persons and Property.

If it shall happen hereafter that any difference fall out (which God forbid) between the King of Great Britain and the King of Spain, whereby the mutual commerce and good correspondence may be endangered, the respective Subjects and People of each Party shall have notice thereof given them in time, that is to say, the space of six months, to transport their merchandise and effects, without giving them in that time any molestation or trouble, or retaining or embarking their goods or persons.

ARTICLE XXXVII.

Goods, &c., not Legally Condemned at Time of Concluding this Treaty to Remain at Disposal of their Owners, &c.

All goods and rights concealed or embarked, moveables, immoveables, rents, deeds, debts, credits, and the like, which have not, with a formal notice of the cause, and by a legal condemnation, according to the ordinary justice, been brought into the Royal Exchequer at the time of concluding this Treaty, shall remain at the full and free disposal of the Proprietors, their Heirs, or of those who shall have their right, with all the fruits, rents, and emoluments thereof, and neither those who have concealed the said goods, nor their Heirs, shall be molested for this cause by the Exchequers respectively; but the Proprietors, their Heirs, or those who shall have their right, shall have for the said goods and rights their action at Law, as for their own proper goods and estate.

ARTICLE XXXVIII.

General Most-favoured-nation Treatment.

It is agreed and concluded, that the People and Subjects of the King of Great Britain, and of the King of Spain, shall have and enjoy in the respective Lands, Seas, Ports, Havens, Roads, and Territories, of the one or the other, and in all places whatsoever, the same privileges, securities, liberties, and immunities whether they concern their persons or trade, with all the

beneficial clauses and circumstances which have been granted, or shall be hereafter granted, by either of the said Kings, to the Most Christian King, the States General of the United Provinces, the Hans Towns, or any other Kingdom or State whatsoever, in as full, ample, and beneficial manner, as if the same were particularly mentioned and inserted in this Treaty.

ARTICLE XXXIX.

Disputes as to Interpretation of Treaty.

In case any difference or dispute shall happen on either side concerning these Articles of trade and commerce, by either of the Officers of the Admiralty or other Person whatsoever, in the one or the other Kingdom, the complaint being presented by the Party concerned, to Their Majesties, or to any of their Council, Their said Majesties shall cause the damages forthwith to be repaired, and all things, as they are above agreed, to be duly executed; and in case that in progress of time any frauds or inconveniences be discovered in the navigation and commerce between both Kingdoms, against which sufficient prevention hath not been made in these Articles, other provisions may be hereafter mutually agreed on, as shall be judged convenient, the present Treaty remaining still in full force and vigour.

ARTICLE XL.

Enforcement of Provisions of Treaty.—Ratifications.

It is likewise accorded and concluded, that the Most Serene and Renowned Kings of Great Britain and Spain shall sincerely and faithfully observe and keep, and procure to be observed and kept by their Subjects and Inhabitants respectively, all and singular the Capitulations in this present Treaty agreed and concluded, neither shall they directly or indirectly infringe the same, or consent that the same shall be infringed by any of their Subjects or Inhabitants. And they shall ratify and confirm all and singular the Conventions before accorded by Letter Patents reciprocally, in sufficient, full, and effectual form, and the same so formed and made, shall interchangeably deliver, or cause to be delivered faithfully and really, within 4 months after the date of these Presents; and they shall then, as soon as conveniently may be, cause this present Treaty of Peace and Amity to be published in all places, and in the manner accustomed.

In witness whereof, we, the above-mentioned Ambassador Extraordinary of the Most Serene King of Great Britain, and the Commissaries of the Most Serene King and Queen of Spain, have put our Seals to this present Treaty, subscribed with our own hands at Madrid, the $\frac{1}{2}$ ²₃d day of May, in the year 1667.

(L.S.) SANDWICH.	(L.S.) J. EBERARDO NIDARDO.
	(L.S.) DUC DE ST. LUCAR, &c.
	(L.S.) CONDE DE PENARANDA.

PASSPORT, referred to in Article XIV.

Form of Letters which ought to be given by the Towns and Sea-Ports to the Ships and Vessels setting sail from thence.

To all unto whom these Presents shall come: We, the Governors, Consuls, or Chief Magistrate, or Commissioners of the Customs, of the City, Town, or Province of N., do testify and make known, that N. N., Master of the Ship N., hath before us, under solemn oath, declared, that the Ship N. of tons (more or less) of which he is at present Master, doth belong to the Inhabitants of N., in the Dominions of the Most Serene King of Great Britain. And we, desiring that the said Master may be assisted in his voyage and business, do entreat all Persons in general and particular, who shall meet him, and those of all places where the said Master shall come with the said Ship and her merchandise, that they would admit him favourably, treat him kindly, and receive the said Ship into their Ports, Bays, Havens, Rivers, and Dominions, permitting her quietly to sail, pass, frequent, and negotiate there, or in any other places, as shall seem good to the said Master, paying still the Toll and Customs which of right shall be due. Which we will acknowledge gratefully upon the like occasions. In witness whereof we have signed these Presents, and sealed them with the Seal of our Town.

(L.S.) WILLIAM GODOLPHIN. (L.S.) DON PEDRO
FERNANDEZ DEL
CAMPO Y ANGULO.

Annex 1.

TREATY REFERRED TO IN THE VIIITH ARTICLE OF THE PRECEDING TREATY
BETWEEN GREAT BRITAIN AND SPAIN, OF THE 23RD MAY, 1667.

Treaty of Peace between Spain and the United Provinces of the Low Countries.

Made at Munster, the 30th of January, 1648.

(Translation.)
(Extract.)

Art. IV. And the Subjects and Inhabitants of the Countries of the said Lords, the King of Spain and the States, shall entertain all good correspondence among themselves, without showing any resentment of the offences and damages they may have sustained heretofore; they may likewise remain in and frequent one another's Countries, and there exercise their traffic and commerce in all safety, as well by sea and fresh waters, as by land.

V. The navigation and trade to the East and West Indies shall be kept up according and conformably to the Grants made or to be made for that effect, for the security whereof the present Treaty shall serve, and the Ratification thereof on both sides, which shall be obtained: and in the said Treaty shall be comprehended all Potentates, Nations, and People, with whom the said Lords, the States, or Members of the East and West India

Companies in their name, within the limits of their said Grants, are in friendship and alliance. And both the aforesaid Lord, the King and the States respectively, shall continue in possession of such Lordships, Cities, Castles, Towns, Fortresses, Countries and commerce, in the East and West Indies, as also in Brazil, upon the coasts of Asia, Africa, and America, respectively, as the said Lords, the King and the States respectively, hold and possess, comprehending therein particularly the Places and Forts which the Portuguese have taken from the Lords and States since the year 1641, as also the Forts and Places which the said Lords and States shall chance to acquire and possess after this, without infraction of the present Treaty. And the Directors of the East and West India Companies of the United Provinces, as also the Servants and Officers high and low, the Soldiers and Seamen actually in the service of either of the said Companies, or such as have been in their service, as also such who in this Country, or within the District of the said two Companies, continue yet out of the service, but who may be employed afterwards, shall be and remain to be free and unmolested in all the Countries under the obedience of the said Lord the King in Europe, and may sail, traffic, and resort, like all the other Inhabitants of the Countries of the said Lords and States. Moreover, it has been agreed and stipulated, that the Spaniards shall keep their navigation to the East Indies in the same manner they hold it at present, without being at liberty to go further, and the Inhabitants of these Low Countries shall not frequent the places which the Castilians have in the East Indies.

VI. And as to the West Indies, the Subjects and Inhabitants of the Kingdoms, Provinces, and Lands of the said Lords, the King and States respectively, shall forbear sailing to, and trading in any of the Harbours, Places, Forts, Lodgments or Castles, and all others possessed by the one or the other Party, viz., the Subjects of the said Lord the King shall not sail to or trade in those held and possessed by the said Lords and States, nor the Subjects of the said Lords and States sail to or trade in those held and possessed by the said Lord the King. And among the places held by the said Lords the States, shall be comprehended the places in Brazil, which the Portuguese took out of the hands of the States, and have been in possession of ever since the year 1641, as also all the other places which they possess at present, so long as they shall continue in the hands of the said Portuguese, anything contained in the preceding Article notwithstanding.

VIII. The Subjects and Inhabitants of the Countries of the aforesaid Lords, the King and the States, trading to one another's Countries, shall not be obliged to pay greater Duties and Imposts than the respective Subjects, Natives of the Countries; so that the Inhabitants and Subjects of the United Low Countries shall be and remain to be exempted from certain Duties of 20 per cent., or from such lesser, greater, or any other Duty as the said Lord the King has raised and imposed during the 12 years' truce, or should endeavour or be inclined to raise or impose afterwards, directly or indirectly, upon the Inhabitants and Subjects of the United Low Countries, or lay upon them over and above what he does upon his own Subjects.

IX. The said Lords, the King and States, shall not raise, without their respective limits, any Duties or Gables for entry, parting, or any other account, upon the commodities in their carriage, either by land or water.

X. The Subjects of the said Lords, the King and the States, shall respectively in one another's Countries enjoy the ancient privilege of the Customs, whereof they have been in peaceable possession before the commencement of the War.

XI. Society, conversation, and commerce among the respective Subjects shall not be hindered, and if any hindrances or impediments happen, they shall be really and effectually removed.

XIII. The white boiled salt coming from the United Provinces into those of His said Majesty, shall be there received and admitted, without being charged with higher Duties than bay-salt, and the salt of the Provinces of His said Majesty shall likewise be admitted and received in those of the said

Lords and States, and shall there be sold, without being charged with a higher Duty than the salt of the said Lords the States.

XVII. The Subjects and Inhabitants of the Countries of the said Lords and States shall also have the same security and freedom in the Countries of the said Lord the King that has been granted to the Subjects of the King of Great Britain by the last Treaty of Peace and Secret Articles made with the Constable of Castile.

XVIII. The said Lord the King shall make, on the first opportunity, all necessary provision, that honourable places may be appointed for the interment of the bodies of such Subjects of the Lords the States as shall happen to die in any place under the obedience of the said Lord the King.

XIX. The Subjects and Inhabitants of the Countries of the said Lord the King coming into the Countries and Lands of the said Lords the States shall be obliged, with regard to the public exercise of religion, to govern and behave themselves with all modesty, without giving any scandal in word or deed, or uttering any blasphemies; and the same shall be done and observed by the Subjects and Inhabitants of the Countries of the said Lords the States coming into the Lands of the said Lord the King.

XX. The Merchants, Masters of Ships, Pilots, Seamen, their Ships, merchandises, commodities, and other goods belonging to them, may not be seized and arrested, either by virtue of any general or particular Commission, or for any other cause whatsoever, nor upon the account of War or otherwise, nor even under pretext of employing them for the preservation and defence of the Country. However, we do not here mean to comprehend the Seizures and Arrests of justice in the ordinary methods upon account of debts, proper obligations and valid contracts of those upon whom such Seizures shall have been made; in which case Actions and Suits shall be carried on according to right and reason.

XXI. Certain Judges shall be appointed on both sides in equal number, in form of the *Chambre Mipartie*, who shall sit in the Low Countries, and in such other places as shall be found convenient and proper, and that everywhere, sometimes under the obedience of the one, and sometimes of the other, according as shall be agreed by mutual consent; which Judges appointed on both sides shall (conformably to the commission and instruction that shall be given them, and upon which they shall make oath according to a certain form to be settled on both sides for that effect) have regard to the negotiations of the Inhabitants of the said Provinces of the Low Countries, and to the burdens and duties which of both sides shall be laid upon merchandises; and if the said Judges perceive that any excesses are committed on either side, or of both sides, they shall regulate and moderate the said excesses.

Moreover, the said Judges shall examine into disputes touching a failure in the execution of the Treaty, and the contraventions thereof, which from time to time may happen in the Countries on this side, as also in the distant Kingdoms, Countries, Provinces, and Islands of Europe, and shall summarily and fully determine therein, and decide as they see agreeable and conformable to the Treaty: the Sentences and Determinations of which Judges shall be executed by the ordinary Judges of the place where contravention shall have been committed upon the persons of the Contraveners, according as occasion and circumstances shall require; nor must the said ordinary Judges neglect to do the said execution, or suffer it to be neglected, but repair the contraventions within the space of 6 months after they the said ordinary Judges shall have been hereto required.

XXII. And if any Sentences or Judgments should pass upon the person of any of either Party, whether in a civil or criminal matter, they must not be put in execution against the persons of the condemned, nor against their goods. Nor shall any Letters of mark or reprisal be granted, but upon cognizances of the cause, and in cases allowed by the Imperial Laws and Constitutions according to the order by them established.

XXIII. It shall not be lawful to come ashore, enter, or stop at the Ports, Harbours, Shallows, or Roads of one another, with Men-of-War and Soldiers, in such number as may cause suspicion, without the leave and

permission of him to whom the said Ports and Harbours, Shallows, and Roads belong, unless they are forced in by storm, or obliged thereto through necessity, or to avoid the dangers of the sea.

XXX. The Subjects and Inhabitants of the United Low Countries may, everywhere in the Lands under the obedience of the said Lord the King, employ such Advocates, Procurators, Notaries, Solicitors and Agents as they shall think proper, whereto they shall be appointed by the ordinary Judges when it shall be needful, and the said Judges shall be required. And, on the other hand, the Inhabitants and Subjects of the said Lord the King coming into the Countries of the said Lords the States shall have the same assistance.

LXII. The Subjects and Inhabitants of the Countries of the said Lord the King and the States, of whatever quality or condition they be, are declared capable of succeeding to one another, as well without as with a Will, according to the customs of the places; and if any successions of legacies have formerly fallen to any of them, they shall be maintained and preserved in their right thereto.

LXXV. And to the end that the present Treaty may be the better observed, the said Lord the King and the States respectively promise to use their endeavours, and employ their power, each in his place, to render the passages free, and the Seas and Rivers navigable and secure from all incursions of Pirates, Corsairs, and Robbers; and, if they can catch them, to chastise them with rigour.

Done at Munster, in Westphalia, 30th January, 1648.

Annex 2.

A PARTICULAR ARTICLE CONCERNING NAVIGATION AND COMMERCE.

Concluded at Munster, the 4th day of February, 1648.

The Subjects and Inhabitants of the United Provinces may sail and trade with all freedom and safety in all the Kingdoms, States, and Countries which are or shall be in amity or neutrality with the States of the United Provinces; and they may not be disquieted or molested in their navigation and traffic aforesaid upon the account of hostilities which happen, or may happen afterwards, between the said Lord the King of Spain and the aforesaid Kingdoms, Countries, States, or any of them that may be in amity or neutrality with the said Lords the States as above; yet without permission to carry to the declared Enemies of the said Lord the King, prohibited or contraband goods or merchandises. And in order to prevent this, and that the course of commerce may not be interrupted, they shall be obliged, when they enter into any Harbours of the said Lord the King with a design to go from thence to the Harbours of the Enemy, to show their Passports, containing the particulars of their loading, attested and marked with the ordinary mark, and approved by the Officers of the Admiralty of that quarter from whence they part; but they must not over and above be visited or searched, and far less detained under any pretext whatsoever; as also when they are in the open sea, or come into any roads, without designing to enter into Harbours, or break their bulk, they shall not be obliged to give any account of their lading. But it must be observed, that the Lords the States shall expressly forbid all their Subjects to carry any prohibited or contraband merchandises to the Enemies of the said King; and they shall give Countermarks, in order the better to know the validity of the said Passports of the Admiralty, that so they may not be falsified; provided always that the navigation and commerce of the Subjects of the United Provinces with France may

reciprocally continue as formerly on condition they do not carry into France merchandises coming from the States of the said King of Spain that may be employed against him and his States. And in case there be found in the said Ships such goods, merchandises, or commodities as are declared prohibited and contraband shall be challenged and confiscated, but the Ship and the other goods, merchandises, and commodities in the said Ship, may not for that reason be molested or confiscated in any wise. And reciprocally the Subjects of the said Lord the King shall have the same liberty of navigation and traffic, in case there should be any hostility between the said Lords the States and the Kingdoms, States, or Countries, or any of them, which are or shall be in amity or neutrality with the said Lord the King of Spain, and that conformably to the aforesaid conditions and restrictions specified in this Article.

This Article shall be observed, executed, and held as inserted in the Treaty of Peace, ratified by the Lord the King of Spain, and the Lords the States General of the United Provinces of the Low Countries, as the said principal Treaty, within 2 months after the exchange of the Ratifications of the said principal Treaty, concluded and signed the 30th of January, of this present year 1648, or as soon as possible after the said exchange; and the Ratifications shall be exchanged and delivered on both sides in due and valid form.

Done at Munster, the 4th of February, 1648.

Annex 3.

CEDULAS REFERRED TO IN THE IXTH ARTICLE OF THE PRECEDING TREATY BETWEEN GREAT BRITAIN AND SPAIN OF THE 23RD MAY, 1667.

(Translation.)

- (1).—*Cedula of Privileges granted by His Majesty to the English, which reside in Sevilla, San Lucar, Cadiz, and Malaga.*

Zaragoza, 19th March, 1645.

Don Philip, by the grace of God, King of Castille, of Leon, of Arragon, of the Two Sicilies, of Jerusalem, of Portugal, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Mallorca, of Sevilla, of Sardinia, of Cordua, of Corcega, of Murcia, of Jaen, of the Algarves, of Algecira, of Gibraltar, of the Islands of the Canaries, of the East and West Indies, Islands, and Terra Firma of the Ocean, Archduke of Austria, Duke of Bourgoña, of Brabant, and of Milan, Count of Apsburg, of Flanders, Lord of Biscay, and of Molina, &c.

For as much as on the part of you Richard Anthony, Consul of the English Nation, by you, and in the name of the Vassals of the King of Great Britain, information hath been given to me, that by means of the Peace, which between this and that Kingdom is settled, those which do reside and commerce in Andalusia, principally in the City of Sevilla, San Lucar, Cadiz, and Malaga, humbly entreat me that I would be pleased to confirm to you the privileges, exemptions, and liberties which appertain to you, as well by the Articles of the said Peace, as by the confirmations of them, and other favours and indultos, which the King my Lord and Father (now in glory) granted you, and all others whatsoever, that have been granted by my Crowns of these my Kingdoms of Castille and of Portugal, commanding that they be observed and accomplished in all, and through all, without any limitation, and that they may be of more force, to grant them anew, with the qualities, amplifications, conditions, and declarations, which may be most convenient for you, imposing punishments upon whom shall contradict them, and not observe them; and that it may be known what they are, that there be given Copies of them, of what

favour I have granted them, having a due regard to the aforesaid, and because that for the occasions which I have of Wars, you have offered to assist me with 2,500 ducats of silver, paying 1,000 down, and the other 1,500 remaining, in the month of April, of this present year, for which Don Francisco Moreno, with the intervention of Don Antonio de Campo-Redondo y Rio, Knight of the Order of St. James, of my Privy Council, and of my Exchequer, in your name and by virtue of your Power, passed a writing or obligation in form, before John Cortez de la Cruz my Notary, I have thought fit, and by these Presents, of my own proper motive, certain knowledge, and Royal and absolute Power, which in this part I will use, and do use as King and natural Lord, not acknowledging any superior in temporals, I confirm and approve the said privileges of exemptions, and liberties, which appertain to you, as well by the Articles of the said Peace, as by the confirmations of them, and the rest of the favours, indultos, which the King my Lord and Father granted you, and any others whatsoever, which have been granted by my Crowns of Castille and Portugal, to the said Vassals in all, and through all, as therein, and in every thing, and in part thereof is specified, contained, and declared, that they may be firm, stable, and valid to you, and be observed to you, kept and fulfilled, because that my intention and deliberate will is, that all those of the said Nation may enjoy, and do enjoy them without any limitation, with condition, that during the time they shall reside in Andaluzia, the said English may not be put upon any office, or in any public post, nor made Guardians, Trustees, nor Collectors, although they may be of the Duties of Alcavalas, and Millones, or other Duties which relate to my Royal Treasury; nor shall they demand from you loans, or donatives, nor oblige you to farm any rents, nor take your horses or Slaves.

And to do you further favour in conformity of what is capitulated in the said Peace, I will and permit that you may and do trade and commerce freely, and sell your merchandises and goods, and buy those of my Kingdoms, and carry them thence, observing what is ordained by the Laws and Decrees that treat thereof, paying into my Royal Treasury the Duties that ought to be paid, prohibiting as I do prohibit, and command that they do not take from you by force any merchandises, as wheat or barley, although it be for dispatch of my Armadas, Fleets, or Galloons, neither for the Assentistas nor Estanqueros, and the said privileges shall be as to wheat and barley, according to the Tax; and as to other things and merchandises, as you shall covenant and agree for, without taking them from you till they have paid you for them, and that they shall not, upon the account aforesaid, give you any manner of trouble or vexation.

And because that many of you trade in bringing to the Ports of Andaluzia, City of Sevilla, and other parts, a great quantity of bacallao and other kinds of fish, dry and salted, which being the most necessary provisions that can be, and creates you a great deal of cost and trouble, I will and command that you enjoy the Custom of the City of Sevilla, in which it is ordered that those which arrive with any fish, dry and salted, there may not be imposed any Rate, but that they sell at the price they will, without that it be necessary that they manifest it more than to the Ministers which recover my Royal Revenues, and that if the Ships in which they bring the said bacallao be great, that they cannot come up the River, and shall unload them in Barks, the Judge of the Admiralty or any other may not put in the said Barks any Guards at the cost of the Owners of them. In like sort I command that in case it appears that the said fish is rotten, and cannot be spent, it be burnt or cast into the sea, without that by reason thereof there may be made any process against the Owners or Persons that sold it, or be imprisoned or informed against.

And because that the Administrator of the Almojarifazgos, and divers other Duties, which are recovered on goods and merchandises, have been used upon information given, to seize the Person they suspect, which to Men of trade occasions much discredit, costs, and vexations: my will is, and I command, that upon the said informations, they only proceed against the merchandises, and not against the Persons, permitting them, as I do

permit them, that they may make and do make their defences against the said vexations.

And whereas, according to one Article of the said Peace, which treats in matter of Religion, notwithstanding that in some Lawsuit, it hath been endeavoured that they declare, whether they be Roman Catholics or not, excusing giving credit to the oath which they make, as being Parties or as Witnesses, I command therefore, that in those matters they shall not meddle with the Natives of the said Kingdom : but that the said condition be fully observed, without making them any such questions, and to the oath you shall tender them in Court, the same faith and credit shall be given, as if they were natural Spaniards, without that upon this account they are molested or troubled, or receive any grievance.

And by reason that for justification of some causes, the Judges and Justices pretend, that the Merchants should exhibit their books of trade, and thereupon they receive vexation and trouble, I command and will, that the books of the Merchants of the said Nation be not taken from them, but that they produce them in their own houses, to take out the article which shall be appointed, without demanding others, nor may be taken from them any other Papers, upon punishment of him that shall contravene herein, to be chastised according to Law.

And because likewise the Merchants enter their goods in the Custom House of the City of Sevilla of all the Duties, which, because they are many, is made upon one sheet of paper, and firm'd and signed by all the Officers, and remains in possession of the Warehouse-keeper of the Custom House, that by virtue thereof, he may deliver such goods as go in bales, packs, trunks, and chests, and after they have taken them out, and put them in their houses and warehouses, the Head Waiter of the Custom House, and the Officers of the half per cent. shall not search your houses, nor goods, causing you trouble and vexation, asking of you the Despatches, it being manifest that you cannot have them, having left them in the power of the said Head Waiter, I prohibit therefore and command, that the houses of the said Merchants shall not be visited, nor be asked of them the Despatches of their goods, which doth not remain in their custody, so that this is to be understood, and is understood of the houses which are within the walls of the said City. And that it may be known those who are of the said Nation, let copies be given of the said privileges and exemptions which concerns you, and were granted you, as well by the Articles of the said Peace, as in any other manner whatsoever ; and for the execution and accomplishing of all the aforesaid, I command those of my Privy Council, and the rest of my Counsellors, Juntas, and Tribunals of my Court, and the Presidents and Justices of my Courts, as also the Judges and Justices of the Peace belonging to my House, Court, and Chancery, and the Regent, and Judges of my Court de Grados, in the City of Sevilla, and the Chief Magistrate of the Court thereof, and all Mayors, Governors, Magistrates, and other inferior Officers, as well of the said Cities of Sevilla, Cadiz, and Malaga, and San Lucar de Barrameda, as of all other Cities, Towns, and Places, of these my Kingdoms, and Dominions, and Judges, and Justices thereof, of whatever quality and condition they may be, to whom principally or accidentally it shall concern in any manner whatsoever, the accomplishing of all that is contained in this my Letter, that as soon as they shall have been required herewith, or with a Copy thereof, signed by a public Notary (to which shall be given as much credit as to the original), each one for that part which shall concern him, observe and accomplish, cause to be observed and accomplished, in all and through all, as is contained therein, without that in the whole, or in part, there be put any impediment, or other doubt, or difficulty that shall oppose, or contravene its tenor, and form, nor consent, or allow that it be interpreted, limited, or suspended in whole or in part, contrary to the Cédulas, Provisions, or other Orders for observance thereof, in that part which shall relate to each of you, and that they provide, and give the necessary orders for the greater security of the favour, which by this my Letter I grant you, and that at all times this favour may be certain and secure to you, that you may have a Judge Conservator, for Andaluzia, principally for the said Cities of Sevilla,

Malaga, Cadiz, and San Lucar de Barrameda, to whom I shall give sufficient Commission for the preservation and accomplishing of the said privileges, liberties, and exemptions (which may oblige and compel all and every Person whatsoever, of whatsoever condition or quality they be) as shall concern the said Nation, as well in those in which they shall be Defendants, as in those in which they shall be Plaintiffs, although the Person which shall sue them, and of whom they shall be sued, may have any other special Judges whatsoever as well by covenant or contract which they may have made, as by the pre-eminences or immunities which they may have, because that of the said causes only the said Judge Conservator may take cognizance, and no other Judge or Tribunal whatsoever, although it be for any excess or notorious crimes, or in any other manner and form whatsoever; and the said Judge Conservator for the present, shall be Doctor Don Francisco de Vergara, Judge of my Court of Degrees of the City of Sevilla, during the time that he shall act therein, and in his absence Doctor Don Francisco de Medrano, Judge of the same Court, who for matters and law-suits which shall offer in the said Cities of Cadiz, Malaga, and San Lucar, may substitute his Conservatorship in the Person that shall be proposed by the said Nation, that they may be laid before and remitted to him, for the determination thereof; and of that which shall be so determined by him, they may appeal to my Council and not to any other Tribunal, and because that my will is, that each one in his time may have Jurisdiction and Special Commission to protect and defend you in all that is contained in this my Letter, and that all of it may be observed and accomplished in the form that it is offered to you, I have thought fit to give charge, as by these Presents I give them charge of the protection and defence thereof, and command them that they see this my Letter, and the qualities, and conditions, and pre-eminences, and amplifications, contained therein, and cause all of it to be observed and accomplished, in the form accordingly, and in the manner that is contained therein, and declared, without consenting or allowing that in whole or in part, they may put, or do put any doubt or difficulty therein; and before the said Don Francisco de Vergara, and in his absence before the said Don Francisco de Medrano, and not before any other Special Judge, the first motion shall pass, and be followed in all causes and law-suits for what relates thereunto, and cause the same to be executed, and a chastisement of the disobedient; for such is my will, and that the cognizance and determination of all that is contained in this Special Letter, shall concern them, and doth concern them, that they proceed against those that shall be guilty, executing on them such penalties as the Law requires, reserving, as I do reserve to my Council, the appeals, which by their acts and sentences they shall interpose, and not for any other Tribunal, without that any of the rest of my Councils, Tribunals, Courts, or Chanceries, or any other Judges or Justices of these my Kingdoms and Dominions, of whatsoever quality they be, may intermeddle, or do intermeddle therein, neither in the practice nor exercise of the special Jurisdiction, which by this my Cedula I grant them, be it by way of excess, appeal or any other recourse whatsoever; to whom and to each of them I inhibit, and hold for inhibited their cognizance, and declare them for Judges incompetent thereof, for the whole, and in each thing, and part thereof, granting them as full and complete Power, and most ample Commission as in Law is required, and is necessary, with their incidences, dependencies, annexities, and connexities; and that after them the said English Nation of the said City of Sevilla, may name in the said Commission, one of the Judges of the said Court, whom the said Nation shall think fit; and I command the President, and those of my Privy Council, that presenting before them his name in case the said Commission be vacant by promotion or vacation of the said Don Francisco de Vergara, or Don Francisco de Medrano, or in any other manner, they shall be dispatched by him that shall be named, in the form accordingly, and as by this my Letter is ordained: and for the better performance hereof for time to come, I grant them power, licence, and authority, that they may substitute, and do substitute this Commission for matters, and law-suits, which shall offer in the said Cities of Cadiz, and Malaga, and San Lucar de Barrameda, in the Person which by you shall be

proposed to them, that they may examine matters and bring them to conclusion, and remit them the law-suits and causes you shall have, to determine them in the form they shall think fit, and see convenient for the security of what is contained in this my Letter; and I encharge the Most Serene Prince, Don Balthasar Carlos, my very dear and beloved Son, and command the Infantes, Prelates, Dukes, Marquesses, Counts, Barons, Knights, Esquires, Governors of Castles, Fortresses, and Plains, and those of my Council, President and Judges of my Courts, Officers of my House, and Court, and Chancery, and all Mayors, Governors, Deputy Governors, Justices of the Peace, and other whatsoever Justices and Judges of my Kingdoms and Dominions, that they observe to you and accomplish, and cause to be observed and accomplished this my Letter and Favour, which I do grant you, and against the tenor and form thereof, not to go, nor act now, nor at any time, nor by any manner, perpetually, for ever, nor consent, or allow that they be limited to you, or suspended in whole, or in part, all its contents, whatsoever Laws or Orders of these my Kingdoms, and Dominions, ordinances, stile, use, and custom of the said Cities of Sevilla, Cadiz, Malaga, and San Lucar, and all others, which they have, or may have, to the contrary notwithstanding, for as much as doth concern these Presents, accounting it to be here inserted and incorporated, as if it had been word for word, and of this my Letter Geronimo de Canencia, my Chief Treasurer and Accountant, and my Secretary de la Media Anata, is to take cognizance, to whose charge is committed the account of the said Duty; and I declare that of this Favour, you have paid the Duty of Media Anata, which imports 35,000,155 maravedis in silver, which you are to pay every 15 years perpetually, and that being complied with, you shall not have the power to use this Favour without that it first appears that you have satisfied this Duty, and also that you pay the Judge Conservator you shall name, the salary which he shall enjoy by the said occupation, which is to be manifested by Certificate from the Office of this Duty.

Given in Zaragoza, the 19th day of March, in the year 1645.

I, THE KING.

(2).—*Cedula, amplifying and confirming the Privileges granted to the English Nation.*

Zaragoza, 26th June, 1645.

THE KING.

To Doctor Don Francisco de Medrano, Judge of my Court of Degrees of the City of Sevilla;—Know ye, that by one of my Letters and Decrees of the 19th of March, of this present year, I did grant to Richard Anthony, Consul of the English Nation, and to the Subjects of the Kingdom of England, which reside and trade in Andalusia, principally in this City, and in that of Cadiz, and in that of San Lucar de Barrameda, the privileges, exemptions and licenses, which appertain to them, as well by the Articles of the Peace as by the Confirmation, and other Favours and Indultos, which the King my Lord and Father (now in glory) granted them, and with the other qualities, conditions, pre-eminences, and amplifications in the said Decree declared, for having offered to serve me with 2500 ducats of silver, according as more largely thereby doth appear, to which I refer myself; and one of the conditions which I did grant them was, that I would name and allow them a Judge Conservator for Adalusia, principally for the said 2 Cities, and San Lucar de Barrameda, to whom should be given sufficient Commission for the observance and accomplishment of the said privileges, liberties, and exemptions, who should take cognizance of all causes, both civil and criminal, which should be brought against them, in which they were made Defendants, that before him should come all law-suits and causes

whatsoever which should concern the said English or any other Persons whatsoever, of whatsoever quality they may be, as well those in which they shall be Defendants, as in those in which they shall be Plaintiffs, although the Persons that shall sue them may have special Judges, as well by agreement or contract, which they may have made, by the pre-eminence or immunity which they may have, because of the said causes, only shall take special cognizance of the said Judge Conservator, and no other Judge or Tribunal, although it may be by way of excess, or in any other manner or form whatsoever, and that for the causes and suits that shall offer in the said Cities of Cadiz and Malaga, and San Lucar, may be substituted their Commission in the Person, which by the said Nation shall be proposed, that he may bring things to a conclusion, and that they be remitted to him to determine, and of that which the said Judge shall so determine, they may appeal to my Council, and not to any other Tribunal, and that the time you shall act in the said Court, you shall be esteemed as such, and in your absence, and after you, he whom the said Nation in the said City of Sevilla shall appoint, and because that my will is, that all this be observed and accomplished in the form as is expressed, I have thought fit to give charge to you, and by this Present do give you charge of the protection and defence hereof, and command you that you see the said Decree, and the conditions, pre-eminences, and amplifications therein contained, and all of it, be observed and accomplished in form, accordingly, and after the manner that in the said Decree, and in this my Cedula is declared, without consenting or allowing that in the whole or in part, may put or be put any doubt or difficulty, and before you, and not before any other Judge, at the first instance shall be brought and followed, all causes and law-suits, which thereupon, or any other thing or part thereof, shall be made, and cause cognizance to be taken of all causes, civil and criminal, in which they shall be prosecuted or against them shall be attempted, and before you shall be brought whatsoever law-suits and causes which shall concern the said English between whatsoever Persons or whatsoever quality they may be, and the execution and chastisement of those that shall disobey ; because that my will is, that the cognizance and determination of all that is contained in the said provision, and in this my Cedula of amplification, specially shall and do concern you, proceeding fully against those that shall be guilty, executing upon them the punishments you shall find by justice due to them, without that any of the Tribunals, Courts or Chancery, or any other Judges or Justices of my Kingdoms and Dominions of Castile, of whatsoever quality they may be, may intermeddle or do intermeddle herein, neither in the use nor exercise of the special jurisdiction in the said first instance, which by this my Cedula I grant you, be it by way of excess, appeal, or any other recourse or manner, to whom, and to each of you, I inhibit, and hold for inhibited, their cognizance, declaring you for Judges incompetent thereof, as for the whole, and everything, and part thereof, and I grant you the most full and complete Power, and most ample Commission, as by Law is required and necessary, with their incidences, dependencies, annexities, and connexities, and that after you, the said English Nation of the said City of Sevilla, may have power to name in the said Commission one of the Judges of this Court, whom the said Nation shall think fit, and I command those of my Privy Council, that presenting before them his name, the said Commission being vacant by promotion or otherwise, him who shall be named shall have his Despatches in due form, according as in this my Cedula is ordained, and that it may the better be accomplished all that is contained in the said Decree, and in this my Cedula, I grant you license, power, and authority, that you may substitute, and do substitute this Commission for matters and law-suits that shall offer in the said Cities of Cadiz, Malaga, and San Lucar, in the Person that by the said Nation shall be proposed to you, that he may conclude matters, you remitting to him the termination thereof, in the form you shall think fit, such as may be for the security of the said Decree, and that all may be observed in the form, which by it is ordained and commanded, any Laws and Pragmaticas of my said Kingdoms and Dominions, Ordonnances, stile, use and custom, or anything whatsoever, to the contrary notwithstanding : all which, and for as much as relates to these Presents, I dispense with, abrogate, and derogate,

make void and annul, count for nothing and of no value and force, and that these Presents remain in full force and vigour for the future.

Done in Zaragoza, the 26th of June, in the year 1645.

I, THE KING.

By Command of our Lord the King,

ANTONIO CARNERO.

(3.)—*Cedula of Privileges.*

Valencia, 9th November, 1645.

Don Philip, by the grace of God, King of Castille, of Leon, of Arragon, of the Two Sicilies, of Jerusalem, of Navarra, of Granada, of Toledo, of Valencia, of Galicia, of Majorca, of Sevilla, of Sardinia, of Cordova, of Corcega, of Murcia, of Jaen, of the Algarves, of Algecira, of Gibraltar, of the Islands of Canary, of the Indies East and West, Islands and Terra Firma of the Ocean Sea, Archduke of Austria, Duke of Borgona, of Brabant, and Milan, Count of Apsburg, of Flanders, of Tirol, of Barcelona, Lord of Biscay, and Molina, &c.

Forasmuch as by my Letter and Decree of the 19th of March of this present year, I did grant to you, the Subjects of the King of Great Britain, who reside in Andaluzia, a confirmation and approbation of the privileges, Cedula, and franchises which were granted you by the Crowns of Castille and Portugal, and commanded that they should be kept, and observed to you the said Articles of Peace made between my Crowns and that of England, and that by my other Cedula of the 26th of June of the same year, you may name a Judge Conservator, that shall take cognizance of all your causes, civil and criminal, as well in those in which you shall be Plaintiffs, as in those in which you shall be Defendants, with other conditions, amplifications, and pre-eminences in the said Decree and Cedula contained, referring myself to the tenor thereof.

And now on your part, relation having been made to me, that having presented the last Cedula in the assembly of the Court of Degrees of the City of Sevilla, a Copy thereof was ordered to be given to Don Juan de Villalva, my Fiscal of the said Court, who kept it in his possession from the 15th of July, without having answered it till now, which hath hindered and deprived you of the benefit and performance of the said Decree and Cedula, to your great prejudice and detriment, although by what is ordained thereby, the Judge Conservator ought to take cognizance of all causes, civil and criminal, as well being Plaintiffs as Defendants, with any Person whatsoever you shall trade with, your intent being only to enjoy the said privileges and Judge Conservator, when there should be any law-suits between those of your Nation, whether you be Plaintiffs or Defendants, and whether the causes be civil or whether they be criminal, and when the suits shall be with Spaniards, or with other Persons of different Nations, the Conservator is to take cognizance so far only of the causes in which you shall be civilly or criminally prosecuted as Defendants, and not in which you shall be Plaintiffs, humbly intreating me, that whereas in this particular you have waved and desisted from the said privilege before Alonso de Alarcon, that I would be pleased to declare it, with the conditions, amplifications, and pre-eminences, as may be most convenient for you, and shall be most necessary for the greater force of what is insisted, of what my pleasure shall be; and because that for the service of the Wars, you have offered to assist me with 1500 ducats in silver, payable at certain prefixed days, I have thought fit, and by these Presents I will and declare, that when the suits shall be between those of your Nation, whether you be Plaintiffs or Defendants, or the causes shall be civil or criminal, you shall enjoy the said privilege and its conditions: and when the said suits shall be with Spaniards, or with other Persons of divers Nations, that the Judge Conservator shall take cognizance, and do take cognizance only of the causes

in which you shall be civilly or criminally Defendants, and not when you shall be Plaintiffs.

And because that the duties of Excise of Millones which are imposed on bacallao dry and fresh, pilchards, herrings, and salmon, and other kinds of fish, fresh and salted, it was ordered that it should be recovered of those which consume it; and by reason the Farmers of these Duties, and Judges which take cognizance of these Causes, do occasion you great grievances, and oblige you to pay 200 maravedis for each quintal of bacallao, and accordingly on other sorts as are permitted, and upon the arrival of the Ships at the Ports of Malaga, Cadiz, and San Lucar, they oblige you to declare the quantity of fish you bring, charging you by the great for the whole, obliging you to the payment thereof, as money due to me, and oblige you to the payment thereof in four months of what it amounts to, which is unjust, because that those who buy these kinds, are Clergymen, Friars, Monks, and other Persons which have privileges and habits, Mayors, Aldermen, and Common-councilmen, for which cause the Farmers of these Duties will not recover them of such, but recover them of you for the whole, without considering the quantity they steal from you, that which is rotten, and what you spend in your own Families; and if you insist on the recovery thereof of such Persons, they treat you ill and do not pay you; therefore, I will and command, that this Duty be recovered of the Buyers and Consumers, and that the Farmers put a Person for their account, that may recover the same, as is done in the Revenues of Alcavala and Almoxarifazgo, with this condition, that you be obliged, as I oblige you, that you shall register all the said kinds of fish aforesaid, as you are obliged to do, according to the general Despatches, without that this may be in any manner avoided.

And because from the visits which the Farmers of Duties make you, there results a great deal of trouble, I will and command, that in the Cities of Malaga, San Lucar, and Cadiz, be observed to you, and kept the privilege, that they may not examine the merchandises which are in your houses, according to what is ordered and commanded by the said Decree, of the 19th of March of this present year, being the same which is granted to those who reside in the City of Sevilla: and likewise I command that the said search may not be made by any Farmer, if in the Custom House you have paid all the Duties, and that this be observed to you, and accomplished inviolably.

And because that all Ships that come to these my said Kingdoms, from those of England, Ireland, and Scotland, the Minister of the Contrabands, and of the Almoxarifazgo, upon searching them as they enter the Ports, cause great vexations and trouble to the Masters of them, and shut up the holds and hatches of the said Ships, deferring the visiting them 8 or 15 days, putting Waiters aboard at the cost of the Masters, who they will have to maintain them and make them presents, I command the said Ministers, as well of the Contraband, as those of Almoxarifazgo, and every of them, that within 3 days they shall and do make the said visit, without putting Waiters aboard them, or taking any Duties by reason thereof, and if they shall put them, it shall be at the cost of the Chief Almoxarifazgo and the Admiralty, since you owe nothing: and when there shall come into the said Ports of Malaga, Cadiz, and San Lucar, any Ship with provisions or merchandises, neither at the time of the visit, and of the unloading, nor at any other, as aforesaid, I order that the Judges and Officers of the Contraband, nor Admiralty, nor any others, may not put or do put in them Waiters at the cost of the Masters or Owners, nor do give you any trouble, either the one or the other, upon that account, according to what is ordered in the IVth Article of the Institution of the said Admiralty, by which it is expressed, relating thereunto, for the satisfaction of the Waiters and other Officers, in the VIIIth Article of the Peace, in which it is ordered, that the Vassals of the one King in the Territory of the other, shall be treated as the Natives themselves, in whose Ships never are put Waiters at the cost of the Masters or Owners thereof.

And because also that the Officers of the Contraband in the said Ports,

as soon as the Ships cast anchor, demand of the Masters their Manifest, and if they do not find in it the merchandises that come consigned to you, they give you trouble, although you have the Bills of lading that the Masters have signed for them, to deliver them according to their consignment, in which you receive a great deal of damage, because that the best instrument you can have is the Bills of lading, because that by them you may oblige them by justice to deliver you your goods, and if the Masters by neglect or malice do not write them in the same Manifest, it is not just that they execute the punishment upon the Owners of the goods, but upon the Masters and Ships, and in so doing the Manifest shall be always justifiable. Wherefore it is my will, and I declare, that the Masters do comply with exhibiting their Manifest, within 3 days after their arrival in the said Ports, and I command, that by reason hereof, the Owner of the goods showing the Bill of lading, you may not give him any trouble or molestation whatsoever.

And because likewise the Judges for exportation, and other Officers, cause you much trouble and vexation if they find in the Ship any money, and it being necessary that the Masters have a sum according to the tonnage, to buy sails, cables, anchors, and other necessary stores, I give license and permission, that having first made a Register, as is usual, every Ship may have 3 pieces of 8 for every ton, for the said purpose, and not for any other, without therefore that upon that account they may be put to any trouble.

And because, that also they of the Excise Office of the said City of Sevilla, occasion you trouble, vexation, and law-suits, saying that there is an order that you shall manifest the butter, leather, and other merchandises and provisions, and that you declare the price you sell them at, and to what Persons, by which means it is 2 years since that you have not brought any butter to the said City, and the Order doth not relate to the Strangers that bring these goods and provisions by sea, but only with the Retailers that go to buy them in the Ports and bring them to the said City to gain by them, I declare, that you have no obligation to make the said Manifest and Declaration, nor can they be obliged thereby to make them, nor to make a process against you, and if they do, I command that they be remitted to the Judge Conservator to determine them.

And because that many times you have taken leases of the houses in which you live and keep your merchandises, and while you are in them Persons of great authority take them from you, before your lease is expired, because they be large and stand where trade is, and oblige you to remove the goods, whereby they are damaged and stolen from you; I will and command, that during the time of your lease the said houses may not be taken from you by any Person, although he may be a Judge, and have a particular privilege.

And that all this may be certain and secure, I command the Regent and Judges of my Court of Degrees of the City of Sevilla, and the Judges of the Courts thereof, and my Governor of the said City and his Deputy, and the other Judges and Justices thereof, and of others whatsoever Cities, Villages, and places of my Kingdoms and Dominions of my Crowns of Castille, to whom principally or accidentally shall concern what is here contained, that all Causes which shall be depending, in which you shall be Defendants, being of the qualities in this my Letter contained, that they may provide and give order, that they may be remitted presently to the Judge Conservator, as I have named you, in the posture they shall be, though they may have been begun before or after my said Decree of the 19th of March, of this present year, together with the said Decrees and Cédulas (notwithstanding it having been ordered by my said Court of Degrees, to give a Copy thereof to my said Judge), without making therein any excuse, reply, doubt, or any difficulty whatsoever; and I command that they do not intermeddle nor may intermeddle in anything concerning what is contained in the said Decree and Cédulas, and in this my Letter, but that they observe and fulfil, and cause to be observed and fulfilled, and executed in all, and through all, as therein is contained, and that each of you, in that part which shall concern him, do cause them to be put in true and due execution

effectually, so as in all respects it may be complied with, without that it be necessary to have further recourse to me hereupon, whatsoever Laws and Pragmaticas of these my Kingdoms and Dominions, Ordinances, stiles, use and custom, which they have, or might have to the contrary, notwithstanding; with which, for as much as relates to these Presents, I dispense, abrogate and derogate, make void and null, and give for no value and effect, these Presents remaining in full force and vigour for the future, and of this my Letter, the Clerks of my Royal Treasury are to take notice, and I declare that for this Grant you have paid the duty of the Media Anata.

Given in Valencia, the 9th day of November, 1645.

I, THE KING.

No. 154.

TREATY BETWEEN GREAT BRITAIN AND SPAIN FOR THE COMPOSING OF DIFFERENCES, RESTRAINING OF DEPREDATIONS, AND ESTABLISHING OF PEACE IN AMERICA.

Signed at Madrid, July $\frac{8}{18}$, 1670.

WHEREAS for many Years past the good Understanding and Correspondence between the English and Spanish Nations having been disturbed in America, It pleased the Most Serene and Powerful Prince Charles, King of Great Britain, &c., in order to the Restoring and Regulating the same, for the future to send into Spain his Envoy Extraordinary Sir William Godolphin Knight, with full Authority and Power to make any Treaty convenient and proper for that end: And likewise the Most Serene and Powerful Charles, King of Spain, &c. and the Queen Regent Maria-Anna, &c. for the carrying on a Work of so much Piety and Publick Good, Deputed on their Part the Earl of Penaranda, Councillor of State, and President of the Indies, to Confer, Treat and Conclude thereupon with the said Sir William Godolphin: At length they mutually Resolved and Agreed upon the Articles of the following Treaty in Virtue of their several Commissions.

ARTICLE I.

The Treaty of 1667 confirmed.

First, It is Agreed between the above-mentioned Plenipotentiaries Sir William Godolphin and the Earl of Penaranda, in the Names of the most Serene Kings respectively their Masters, That the Articles of Peace and Alliance made between the Crowns of Great Britain and Spain in Madrid on the $\frac{13}{23}$ of May, 1667, or any Clause thereof, shall in no manner be deemed or understood to be

taken away or abrogated by this present Treaty; but that the same shall remain perpetually in their ancient force, stability and vigour, so far forth as they are not contrary or repugnant to this present Convention and Articles, or to any thing therein contained.

ARTICLE II.

Peace to be observed in America as elsewhere.

That there be an Universal Peace, true and sincere Amity in America, as in the other Parts of the World, between the Most Serene Kings of Great Britain and Spain, their Heirs and Successors, and between the Kingdoms, States, Plantations, Colonies, Forts, Cities, Islands and Dominions, without any distinction of Place belonging unto either of them, and between the People and Inhabitants under their respective Obedience, which shall endure from this Day for ever, and be observed inviolably, as well by Land as by Sea and Fresh-waters, so as to promote each the Welfare and Advantage of the other, and favour and assist one another with mutual Love; and that everywhere, as well in those remote Countries as in those which are nearer, the faithful Offices of good Neighbourhood and Friendship may be exercised, and increase between them.

ARTICLE III.

All Enmities and Depredations to Cease.

Also, that for the time to come, all Enmities, Hostilities and Discords between the said Kings, their Subjects and Inhabitants cease and be abolished: And, that both Parties do altogether forbear and abstain from all Plundering, Depredation, Injuries and Infestation whatsoever, as well by Land as by Sea and in Fresh-waters, every where.

ARTICLE IV.

Revocation of Letters of Reprisal and Mart.

The said Most Serene Kings shall take care that their subjects do accordingly abstain from all Force and Wrong-doing: And they shall Revoke all Commissions and Letters of Reprisal and Mart, or otherwise containing License to take Prizes, of what condition or kind soever, being to the Prejudice of the one or other of the said Kings, or of their Subjects, whether the same have been given or granted by them unto Subjects or Inhabitants, or unto Strangers; and shall declare the same to be void and of no force, as by this Treaty of Peace they are declared so to be:

And whosoever shall do any thing to the contrary, he shall be punished not only Criminally according to the merit of his Offence, but shall also be compell'd to make Restitution and Satisfaction for the Losses to the Parties damnified, requiring the same.

ARTICLE V.

Renunciation of all Leagues, &c., contrary to this Peace.

And furthermore, the said Kings shall Denounce, as by the Tenor of those Presents every of them hath and doth Renounce, whatsoever League, Confederation, Capitulation, and Intelligence made by what manner soever in the Prejudice of the one or the other, which doth or may repugn against this Peace and Concord, and all and singular the Contents thereof: All which and every of them, so far as they do concern the Effect aforesaid, they shall annul and make void, and declare to be of no force or moment.

ARTICLE VI.

Prisoners Released.

The Prisoners on both sides, one and all, of what Degree or Condition soever, detained by reason of any Hostilities hitherto committed in America, shall be forthwith set at liberty, without Ransom, or any other Price of their Freedom.

ARTICLE VII.

All Injuries to be Forgotten.

All Offences, Damages, Losses, Injuries, which the Nations and People of Great Britain and Spain have at any time heretofore, upon what Cause or Pretext soever suffered by each other in America, shall be expunged out of remembrance, and buried in Oblivion, as if no such thing had ever past.

Retention by Great Britain of her Possessions in America.

Moreover, It is Agreed, That the Most Serene King of Great Britain, his Heirs and Successors shall have, hold, keep and enjoy for ever, with plenary Right of Sovereignty, Dominion, Possession and Propriety, all those Lands, Regions, Islands, Colonies and Places whatsoever, being or situated in the West-Indies, or in any part of America, which the said King of Great Britain and his Subjects do at present hold and possess; So as that in regard thereof, or upon any Colour or Pretence whatsoever, nothing more may or ought to be urged, nor any Question or Controversie be ever moved concerning the same hereafter.

ARTICLE VIII.

Sailing to, or Trading in, each others Ports in the West Indies Forbiden.

The Subjects and Inhabitants, Merchants, Captains, Masters of Ships, Mariners of the Kingdoms, Provinces, and Dominions of each Confederate respectively, shall abstain and forbear to Sail and Trade in the Ports and Havens which have Fortifications, Castles, Magazines or Warehouses, and in all other Places whatsoever possessed by the other Party in the West Indies; to wit, The Subjects of the King of Great Britain shall not Sail unto, and Trade in the Havens and Places which the Catholick King holdeth in the said Indies; Nor in like manner shall the Subjects of the King of Spain Sail unto, or Trade in those Places which are possessed there by the King of Great Britain.

ARTICLE IX.

Trade and Navigation Licences.

But if at any time hereafter either King shall think fit to grant unto the Subjects of the other any general or particular Licence or Privileges of Navigating unto, and Trading in any Places under his Obedience who shall grant the same, The said Navigation and Trade shall be exercised and maintained according to the Form, Tenor, and Effect of the said Permissions or Privileges to be allowed and given; For the security, Warrant and Authority whereof, this present Treaty and the Ratification thereof shall serve.

ARTICLE X.

Vessels in Distress.

It is also Agreed, That in case the Subjects and Inhabitants of either of the Confederates, with their Shipping (whether publick and of War, or private and of Merchants) be forced at any time through stress of Weather, pursuit of Pirates and Enemies, or other Inconveniences whatsoever, for the seeking of Shelter and Harbour, to retreat and enter into any of the Rivers, Creeks, Bays, Havens, Roads, Shores, and Ports belonging to the other in America, they shall be received and treated there with all humanity and kindness, and enjoy all friendly protection and help: And it shall be lawful for them to refresh and provide themselves at reasonable, and the usual Rates, with Victuals and all things needful, either for the sustenance of their Persons, or reparation of their Ships, and conveniency of their Voyage; And they shall in no manner be detained or hindred from returning out of the said Ports or Roads, but shall remove and depart when and whither they please, without any let or impediment.

ARTICLE XI.

Persons Saved from Wrecks not to be kept Prisoners.

Likewise, if any Ships belonging to either Confederate, their People and Subjects, shall within the Coasts or Dominions of the other stick upon the Sands, or be Wrack'd (which God forbid) or suffer any Damage, the Persons Shipwrack'd and cast on the Shore shall in no sort be kept Prisoners, but on the contrary, all friendly Assistance and Relief shall be administered to their distress, and Letters of Safe-conduct given them for their free and quiet Passage thence, and the return of every one to his own Country.

ARTICLE XII.

Three or four Ships coming together into any Port must not Stay without Leave from the Governor, nor Trade.

But when it shall happen, that the Ships of either (as is above mentioned) through danger of the Sea, or other urgent Cause, be driven into the Ports and Havens of the other, if they be three or four together, and may give just ground of Suspicion, they shall immediately upon their arrival acquaint the Governor or chief Magistrate of the Place with the Cause of their coming, and shall stay no longer then the said Governor or chief Magistrate will permit, and shall be requisite for the furnishing themselves with Victuals and Reparation of their Ships; and they shall always take care not to carry out of their Ships any Goods or Packs, exposing them to Sale, neither shall they receive any Merchandise on Board, nor do anything contrary to this Treaty.

ARTICLE XIII.

Observance of this Treaty by Subjects of both Nations.

Both Parties shall truly and firmly observe and execute this present Treaty, and all and every the Matters therein contained, and effectually cause the same to be observed and performed by the Subjects and Inhabitants of either Nation.

ARTICLE XIV.

Private injuries not to affect Treaty.—No Reprisals but in Case of Denial or unreasonably delaying Justice.

No private Injury shall in any sort weaken this Treaty, nor beget Hatred or Dissentions between the foresaid Nations, but every one shall answer for his own proper Fact, and be prosecuted thereupon; Neither shall one Man satisfie for the Offence of another by Reprisals, or other such like odious Proceedings, unless Justice be denied or unreasonably delayed, in which case it shall

be lawful for that King, whose Subject hath suffered the Loss and Injury, to take any Course according to the Rules and Method of the Law of Nations, until Reparation be made to the Sufferer.

ARTICLE XV.

This Treaty not to Prejudice the Rights or Dominions of either Nation in the Seas, &c., of America.

The present Treaty shall in nothing derogate from any Pre-eminence, Right, or Dominion of either Confederate in the American Seas, Channels or Waters, but that they have and retain the same in a full and ample manner, as may of right belong unto them: But it is always to be understood, that the Liberty of Navigation ought in no manner to be disturbed, where nothing is committed against the genuine sense and meaning of these Articles.

ARTICLE XVI.

Ratifications.

Lastly, The solemn Ratifications of this present Treaty and Agreement, made in due Form, shall be delivered on both Sides, and mutually Exchanged within the space of Four Months from this Day; And within Eight Months, to be computed from the said Exchange of the Instruments (or sooner if possible), they shall be Published in all convenient Places throughout the Kingdoms, States, Islands, and Dominions of both Confederates, as well in the West Indies as elsewhere.

In Testimony of all and singular the Contents hereof, We the above-mentioned Plenipotentiaries have Signed and Sealed this present Treaty, at Madrid, the 1st Day of July, in the Year of our Lord 1670.

THE COUNT OF
PENARANDA.

(L.S.)

WILLIAM GODOLPHIN.

(L.S.)

No. 155.

TREATY OF PEACE AND FRIENDSHIP BETWEEN GREAT BRITAIN
AND SPAIN.

Signed at Utrecht, July 13, 1713.

(Extract.)

(Translation.)

ARTICLE I.

Peace and Friendship.

THAT there be a Christian universal Peace, and a perpetual and true Friendship between the Most Serene and Most Mighty Princess Anne, Queen of Great Britain, and the Most Serene and Most Mighty Prince Philip V, Catholic King of Spain, and their Heirs and Successors, and also the Kingdoms, States, Dominions, and Provinces of both Parties, wheresoever situated, and their Subjects; and that the same be so sincerely preserved and cultivated, that neither Party do, under any colour whatever, endeavour to attempt anything to the destruction or detriment of the other, or yield any aid, by what name soever it be called, to those who attempt the same, or who endeavour to do any damage, neither may or ought they to help them by any means. On the contrary, Their Royal Majesties shall be obliged the one to promote the advantage, honour, and interest, of the other, and to direct their Councils to that end with all care, that by mutual proof of friendship, the Peace which is now made may daily receive new additions of strength.

ARTICLE VII.

Administration of Justice.

That the ordinary distribution of justice be restored and open again through the Kingdoms and Dominions of each of Their Royal Majesties, so that it may be free for all the Subjects on both sides to prosecute and obtain their rights, pretensions, and actions, according to the Laws, Constitutions, and Statutes of each Kingdom. And especially if there be any complaints concerning injuries or grievances, which have been done contrary to the tenour of the Treaties, either in time of Peace, or at the beginning of the War lately ended, care shall be taken that the damages be forthwith made good, according to the rule of justice.

ARTICLE VIII.

Freedom of Commerce and Navigation.

That there be a free use of navigation and commerce between the Subjects of each Kingdom, as it was heretofore in time of Peace, and before the declaration of this late War, in the Reign of Charles the IInd (of glorious memory), Catholic King of Spain, according to the Treaties of Friendship, Confederation, and Commerce, which were formerly made between both Nations, according to ancient Customs, Letters, Patents, Cedulas, and other particular Acts; and also according to the Treaty or Treaties of Commerce which are now, or will forthwith be made at Madrid. And whereas among other conditions of the General Peace, it is by common consent established as a chief and fundamental rule, that the exercise of navigation and commerce to the Spanish West Indies should remain in the same state it was in the time of the aforesaid King Charles the IInd; that therefore this rule may hereafter be observed with inviolable faith, and in a manner never to be broken, and thereby all causes of distrust and suspicion concerning that matter may be prevented and removed, it is especially agreed and concluded, that no Licence, nor any permission at all, shall at any time be given, either to the French or to any Nation whatever, in any name or under any pretence, directly or indirectly, to sail, to traffick in, or introduce Negroes, goods, merchandises, or any things whatsoever, into the Dominions subject to the Crown of Spain in America, except what may be agreed by the Treaty or Treaties of Commerce abovesaid, (and the rights and privileges granted in a certain Convention, commonly called El Assiento de Negros, whereof mention is made in the XIIth Article; except also whatsoever the said Catholic King, or his Heirs or Successors, shall promise by any Contract or Contracts for the introduction of Negroes into the Spanish West Indies, to be made after that the Convention or the Assiento de Negros abovementioned shall be determined.) And that more strong and full precautions may be taken on all sides, as abovesaid, concerning the navigation and commerce to the West Indies, it is hereby further agreed and concluded that neither the Catholic King, nor any of his Heirs and Successors whatsoever, shall sell, yield, pawn, transfer, or by any means, or under any name, alienate from them and the Crown of Spain, to the French or to any other Nations whatever, any Lands, Dominions, or Territories, or any part thereof belonging to Spain in America. On the contrary, that the Spanish Dominions in the West Indies may be preserved whole and entire, the Queen of Great Britain engages, that she will endeavour, and give assistance to the Spaniards, that the ancient limits of their Dominions in the West Indies be restored, and settled as they stood in the time of the abovesaid Catholic King, Charles the II, if it shall appear that they have in any manner, or under any pretence, been broken into, and lessened in any part since the death of the aforesaid Catholic King, Charles the II.

ARTICLE IX.

General Most-favoured-nation Treatment.

It is further agreed and concluded as a general rule, that all and singular the Subjects of each Kingdom shall in all Countries and Places on both sides have and enjoy at least the same privileges, liberties, and immunities, as to all Duties, Impositions, or Customs whatsoever relating to Persons, goods, and merchandises, Ships, freight, Seamen, navigation, and commerce; and shall have the like favour in all things, as the subjects of France, or any other Foreign Nation, the most favoured, have, possess, and enjoy, or at any time hereafter may have, possess, or enjoy.

ARTICLE X.

Cession of Gibraltar to Great Britain.

The Catholic King does hereby, for himself, his Heirs and Successors, yield to the Crown of Great Britain the full and entire propriety of the Town and Castle of Gibraltar, together with the Port, Fortifications, and Forts thereunto belonging; and he gives up the said propriety to be held and enjoyed absolutely with all manner of right for ever, without any exception or impediment whatsoever. But that abuses and frauds may be avoided by importing any kinds of goods, the Catholic King wills, and takes it to be understood, that the above-named propriety be yielded to Great Britain without any territorial jurisdiction, and without any open communication by land with the country round about. Yet whereas the communication by sea with the coast of Spain may not all all times be safe or open, and thereby it may happen that the Garrison and other Inhabitants of Gibraltar may be brought to great straits; and as it is the intention of the Catholic King, only that fraudulent importations of goods should, as is above said, be hindered by an inland communication, it is therefore provided that in such cases it may be lawful to purchase, for ready money, in the neighbouring Territories of Spain, provisions and other things necessary for the use of the Garrison, the Inhabitants and the Ships which lie in the Harbour. But if any goods be found imported by Gibraltar, either by way of barter for purchasing provisions, or under any other pretence, the same shall be confiscated, and complaint being made thereof, those Persons who have acted contrary to the faith of this Treaty, shall be severely punished. And Her Britannic Majesty, at the request of the Catholic King, does consent and agree, that no leave shall be given under any pretence whatsoever, either to Jews or Moors, to reside or have their dwellings in the said Town of Gibraltar; and that no refuge or shelter shall be allowed to any Moorish Ships of War in the Harbour of the said Town, whereby the communication between Spain and Ceuta may be obstructed, or the coasts of Spain be infested by the excursions of the Moors.

But whereas Treaties of Friendship, and a liberty and intercourse of commerce are between the British and certain Territories situate on the coast of Africa, it is always to be understood, that the British Subjects cannot refuse the Moors and their Ships entry into the Port of Gibraltar purely upon the account of merchandising. Her Majesty the Queen of Great Britain does further promise, that the free exercise of their religion shall be indulged to the Roman Catholic Inhabitants of the aforesaid Town. And in case it shall hereafter seem meet to the Crown of Great Britain to grant, sell, or by any means to alienate therefrom the propriety of the said Town of Gibraltar, it is hereby agreed and concluded, that the preference of having the same shall always be given to the Crown of Spain before any others.

ARTICLE XV.

Renewal of former Treaties of Peace, Commerce, &c.

Their Royal Majesties on both parts renew and confirm all Treaties of Peace, Friendship, Confederation, and Commerce, made heretofore, and concluded between the Crowns of Great Britain and Spain, and the said Treaties are hereby renewed and confirmed in as full and ample manner, as if they were now particularly here inserted; that is to say, as far as they are not found to be contrary to the Treaties of Peace and Commerce which were the last made and signed. [And especially by this Treaty those Agreements, Treaties, and Conventions are confirmed and strengthened which relate as well to the exercise of commerce and navigation in Europe, and elsewhere, as to the introduction of Negroes into the Spanish West Indies, and which either are already made, or will forthwith be made between both Nations at Madrid.] And whereas it is insisted on the part of Spain, that certain rights of fishing at the Island of Newfoundland, belong to the Guipuscoans, or other Subjects of the Catholic King, Her Britannic Majesty consents and agrees that all such privileges as the Guipuscoans and other People of Spain are able to make claim to by right shall be allowed and preserved to them.

ARTICLE XVII.

Actions of Individuals not to affect good relations between the two Countries.

But if it happen through inadvertency, or imprudence, or any other cause, that any Subject of either of Their aforesaid Royal Majesties, do or commit anything by land, sea, or on fresh waters, in any part of the World, whereby this present Treaty be not observed, or whereby any particular Article of the same hath not its effect, this Peace and good correspondence between the Queen of Great Britain and the Catholic King shall not therefore be interrupted or broken, but shall remain in its former strength, force, and vigour. And that Subject only shall be answerable for his own fact, and shall suffer such punishment as is inflicted by Law, and according to the prescriptions of the Law of Nations.

ARTICLE XVIII.

Rupture of Friendly Relations.—Position of Persons and Property.

But if (which God forbid) the disputes which are composed, should at any time be renewed between Their said Royal Majesties, and break out into open War, the Ships, merchandises and goods, both moveable and immoveable, of the Subjects on both sides, which shall be found to be and remain in the Ports and Dominions of the adverse Party, shall not be confiscated, or suffer any damage; but the space of 6 months, on the one part, and on the other, shall be granted to the said Subjects of each of Their said Royal Majesties, in order to their selling the aforesaid things, or any other their effects, or carrying away and transporting the same from thence, whithersoever they please, without any molestation.

Signed and sealed at Utrecht, the $\frac{2}{13}$ of July, 1713.

(L.S.) JOH. BRISTOL, C.P.S.

(L.S.) DUQUE DE OSSUNA.

(L.S.) STRAFFORD.

(L.S.) EL MARQUES DE
MONTELEONE.

No. 156.

TREATY OF NAVIGATION AND COMMERCE BETWEEN GREAT BRITAIN
AND SPAIN.

Signed at Utrecht, December 9, 1713.

(Translation from
the Latin.)

ARTICLE I.

Confirmation of Treaty of May 23, 1667.

THE Treaty of Peace, Commerce, and Alliance, concluded at Madrid, between the Crowns of Great Britain and Spain the $\frac{13}{23}$ day of May, 1667, is ratified and confirmed by this Treaty, and for the greater strengthening and confirmation of the same, it has been thought proper to insert it word for word in this place, together with the Royal Schedules or Ordinations annexed to it, as follows:—

[See page 791.]

Their Royal Majesties do mutually promise, that they will faithfully perform and fulfil all and every one of the Articles of

the foregoing Treaty, and all privileges, concessions, agreements, or other advantages whatsoever, arising to the Subjects on either side, which are contained in them, or in the annexed Schedules; and that they will at all times cause the same to be performed and fulfilled by their Ministers, Officers, or other Subjects, so that the Subjects on each side may enjoy the full effect of all and every one of them (those only excepted, concerning which something else shall be established in the following Articles, to the mutual satisfaction of each Party), and of all those likewise which are contained in the following Articles. Moreover the Treaty of 1670, made between the Crowns of Great Britain and Spain, for preventing all differences, restraining depredations, and establishing Peace between the said Crowns in America, is again ratified and confirmed [without any prejudice however to any Contract, or other privilege or leave granted by His Catholic Majesty to the Queen of Great Britain or her Subjects, in the late Treaty of Peace, or in the Contract of Assiento], as likewise without prejudice to any liberty or power, which the Subjects of Great Britain enjoyed before, either through right, sufferance or indulgence.

ARTICLE II.

Commerce and Navigation.—Most-favoured-nation Treatment.

The Subjects of Their Majesties, trading respectively in the Dominions of Their said Majesties, shall not be bound to pay greater Duties, or other Imposts whatsoever, for their Imports or Exports than shall be exacted of and paid by the Subjects of the most favoured Nation; and if it shall happen in time to come, that any diminutions of Duties or other advantages shall be granted by either side, to any Foreign Nation, the Subjects of each Crown shall reciprocally and fully enjoy the same. And as it has been agreed, as is above mentioned, concerning the rates of Duties, so it is ordained as a general rule between Their Majesties, that all and every one of their Subjects, shall in all lands and places subject to the command of Their Respective Majesties, use and enjoy at least the same privileges, liberties, and immunities concerning all Imposts or Duties whatsoever which relate to Persons, wares, merchandise, Ships, freighting, Mariners, navigation and commerce, and enjoy the same favour in all things (as well in the Courts of Justice, as in all those things which relate to trade, or any other right whatsoever), as the most favoured Nation uses and enjoys, or may use and enjoy for the future, as is explained more at large in the XXXVIIIth Article of the treaty of 1667, which is specially inserted in the foregoing Article.

ARTICLE III.*

Liberty for British Subjects to Trade throughout Spanish Dominions.

Whereas by the Treaty of Peace lately concluded between Their Royal Majesties, it was laid as the basis and foundation of the said Treaty, that the Subjects of Great Britain should use and enjoy the same privileges and liberty of Trade throughout all the Dominions of Spain which they enjoyed in the time of Charles the IInd, and therefore the same rule is likewise and ought to be the basis and foundation of the present Treaty of Commerce (which is understood to extend reciprocally to the Subjects of Spain trading in Great Britain, in regard to whatsoever, by agreement, belongs to them); and whereas a certain, clear, and expeditious method of paying the Duties is of the greatest use in settling trade upon a good foot, and to the mutual advantage of each Nation; it is therefore agreed and concluded, that within the space of 3 months from the Ratification of this Treaty, Commissaries appointed for that purpose by Their Respective Majesties, shall meet, on the part of each of Their Royal Majesties, either at Madrid or Cadiz, by whom a new Book of Rates shall, without any delay of time, be made, which Book of Rates shall be published in every Port, and shall contain, and severally express the Duties which are hereafter to be paid for wares brought into, or carried out of Castile, Arragon, Valencia, and Catalonia, and shall settle them in such a manner that all the different Imposts which, in the time of the late King Charles the IInd, were paid under several names, and in different Custom-houses for wares entering into or going out of the Ports of Spain (the Kingdoms of Arragon and Valencia, and the Principality of Catalonia being comprehended therein, Guipuscoa and Biscaya, of which mention shall be made hereafter, only excepted), shall be put together and be contained in one Duty, and payable only in one sum.

But whereas the British Ambassador made pressing instances, that it might be given as a rule to the said Commissaries, that no greater Duties, or other Imposts whatsoever, should be made payable in any Port, wet or dry, in His said Catholic Majesty's Dominions by the said new Book of Rates, than what were paid in the Custom-houses of the Port of St. Mary's or Cadiz, in the Reign of the late King of Spain, Charles the IInd; the Ambassadors of Spain have consented, and it is agreed and stipulated that that rule shall be observed in those very Ports of Cadiz and St. Mary's, so that all augmentations of Duties which were introduced in the said Ports after the time of Charles the IInd, on occasion of the War, or under the title of Habilitation, or any other whatsoever, ceasing and being taken away, the British Subjects shall not, before or after the said Book of Rates is settled, be bound to pay any greater Duties, of what sort soever, or under what name soever, for their Imports or Exports in the

* See Queen Anne's Ratification of this Treaty on p. 840.

Ports of St. Mary's and Cadiz, that what were paid there in the time of King Charles the IInd.

Moreover, in regard to the Ports of St. Mary's and Cadiz, the said Commissaries shall be strictly enjoined not to make the new Book of Rates according to the old Indexes of Duties, which by reason of the exorbitant rights that were appointed to be paid by them, ceased to be in use from the time of Charles the IInd, but shall follow the tenor of those Indexes only, which (whether they were commonly called Arancel or Registers) shall be found to have subsisted in the time of King Charles the IInd, and to have been the rule by which the Duties were then paid.

And it is further agreed, that the Subjects of Great Britain having paid these Duties for their wares in the said Ports, to wit, those, until the new Indexes are made, which were paid in the time of Charles the IInd, or else such as shall be made payable by the said new Book of Rates, shall have liberty to transport the said wares, either by sea or land, into any other Port or Place of the aforesaid Dominions of Spain, nor shall the Duties which were paid before be re-exacted on that occasion.

Moreover, for preventing all disputes, which (notwithstanding the exact administration of justice in Spain in all other respects) have formerly arisen concerning other Duties, which, to the great prejudice of trade and traders, have been exacted formerly; it is agreed, that wares which have paid the Duties in the manner aforesaid at Cadiz, or the Port of St. Mary's, and are transported in order to be sold by wholesale, shall be free and clear from any other Duty whatsoever, throughout all Spain, provided, however, that the Proprietor of the said wares, or Factors, brings Certificates that the Duties were duly paid in the manner aforesaid, otherwise such wares shall be looked upon as fraudulently transported. But as to the payment of the Rights commonly called "de Alcavalos, Cientos, and Millones," it is agreed that it shall be regulated according to the Vth and VIIIth Articles of this Treaty.

But because the Spanish Ambassadors are persuaded that the Duties in every Port of Spain cannot be reduced to the same rule with those which are or may become customary in Cadiz or the Port of St. Mary's, without violating the Laws of Spain, and several privileges there, which have the force of Laws, nor without the too great prejudice of their King and Master, it is therefore thought proper to leave this matter to the determination of the Commissaries who shall be appointed to settle the new Book of Rates.

But his Catholic Majesty promises that he will immediately take off all augmentations of Duties in the said Ports, which have been introduced there since the time of Charles the IInd, on occasion of the War, or under the title of Habilitations, or any other whatsoever, and that either the same rule shall be observed in those Ports which is agreed to in the Ports of St. Mary's and Cadiz, or else at least that the same rule shall be observed as well before as after the said new Book of Rates shall be made, which had obtained in each respective Port in the time of King Charles

the IIInd, so that hereafter no greater Duties shall be exacted there, or in any other place of passage, than what were paid in the said places in the time of Charles the IIInd. In the same places shall be likewise observed what has been above appointed in this Article concerning the Rights "de Alcavalos, Cientos, and Millones."

As to the Ports of Guipuscoa and Biscaya, and others, not subject to the Laws of Castille, in which less Duties were paid in the time of Charles the IIInd than at Cadiz, or in the Port of St. Mary's, His Catholic Majesty promises that those Duties shall not be augmented in the said places by the new Book of Rates, but shall, in the meantime, remain as they were in the time of Charles the IIInd. All wares, however, brought into the Ports of Biscaya and Guipuscoa, which shall afterwards be carried by land into the Kingdoms of Castille or Arragon, shall be bound to pay such Duties in the Port where they first enter the said Kingdoms, as were paid there in the time of Charles the IIInd, or else such as shall be established by the new Book of Rates.

ARTICLE IV.

Hiring of Houses and Warehouses.

The Catholic King consents and promises, that for the future it shall always be lawful for the Subjects of Great Britain, living in the Provinces of Biscaya and Guipuscoa, to hire houses or warehouses fit for the preservation of their merchandise, and His Majesty will, by renewing his orders to that purpose, take effectual care that it shall be in their power to do this in the like manner, and with the same privileges with which the said British Subjects, by virtue of the aforesaid Treaty of 1667, or of any Diploma or Ordinance granted by Their Catholic Majesties, did enjoy, or ought to have enjoyed, that liberty in Andalusia, or in any other Ports and Places of Spain whatsoever. The Subjects of Spain shall enjoy the same liberty in any Ports and Places of Great Britain, with all the privileges belonging to them by the aforesaid Treaty.

ARTICLE V.*

Rights "de Alcavalos and Cientos."

To prevent abuses in collecting the rights called "de Alcavalos and Cientos," His Catholic Majesty consents that the Subjects of Great Britain who shall bring their wares into any Port of Spain, wet or dry, in order to sell them by wholesale, shall have their choice, whether they will pay the said Rights "de Alcavalos and Cientos," in the first Place or Port that they arrive at, or else according to the Laws of Castille, at the place where, and at the time when they are sold; which said rights shall be the

* See Queen Anne's Ratification of this Treaty on p. 842.

same as were paid in the time of King Charles the IInd. And it is further agreed, that the Subjects of Great Britain may send or carry the wares, for which the said rights "de Alcavalos" have once been paid, into any Port or Place whatsoever, belonging to His Catholic Majesty's Dominions in Europe (in order to sell them there by wholesale) without any molestation or repetition of the said Duties, or exaction of any others, for the first sale; provided, however, that they who carry the said wares shall bring Receipts or Certificates from the Farmers or Commissioners of the Custom-houses, from whence it may appear that the said rights have been paid for those wares, and likewise other Certificates, proving that the said wares have not yet been sold; but if any Merchant sells his wares by retail he shall be bound under such penalties as are inflicted by Law, to pay all the local and municipal Duties which are due and customary at the sale of them, together with the Rights "de Alcavalos and Cientos," and all others whatsoever.

His Catholic Majesty farther consents, that if after the Certificates above-mentioned have been shown, any Officer or Gatherer of Duties shall exact the said rights again, or shall give any trouble, or stop the passage of the wares on that account, the Officer guilty of the said fault shall incur the penalty of 2,000 ducats, payable to the use of His Majesty's Chamber, or of the General Hospital at Madrid; the Notaries of the Custom-houses, or the Contraband, shall not receive above 15 reals vellon for despatching the said Certificates, unless it shall be otherwise agreed in settling the new Book of Rates.

ARTICLE VI.

Rupture of Friendly Relations.—Position of Persons and Property.

And as the Subjects of Their Majesties are to enjoy on both sides, an entire, secure, and unmolested use and liberty of navigation and commerce, as long as the Peace and Friendship entered into by Their Majesties and their Crowns shall continue, so likewise Their Majesties have provided, that the said Subjects shall not be deprived of that security for any little difference which may possibly arise, but that they shall, on the contrary, enjoy all the benefits of Peace until War be declared between the 2 Crowns.

And it is further agreed, that if it should happen (which God prevent) that War should arise, and be declared between Their Majesties and their Kingdoms, then according to the contents of the XXXVIth Article of the afore-mentioned Treaty of 1667, after the declaration of such a rupture, the space of 6 months shall be allowed to the Subjects of each Party residing in the Dominions of the other, in which they shall be permitted to withdraw with their Families, goods, merchandises, effects, and Ships, and to transport them, after having paid the due and

accustomed Imposts, either by sea or land, to whatsoever place they please, as they shall also be suffered to sell and alienate their moveable and immoveable goods, and freely, and without any disturbance, to carry away the price of them; nor shall their goods, wealth, merchandises, or effects, much less their persons, be in the mean time detained or molested by any seizure or arrest. Moreover, the Subjects of each side shall in the mean time enjoy and obtain quick and impartial justice, by means of which they may, before the expiration of the 6 months, recover the goods and effects which they have lent, either to the Public or to Private Persons.

ARTICLE VII.

Compensation for Losses Sustained at Beginning of Late War.

And it is further agreed, that all the losses which the Subjects of either Crown shall duly prove that they have sustained in the beginning of the late War (contrary to the tenour of the XXXVIth Article of the above-mentioned Treaty), whether they consisted of moveable or immoveable goods, shall be reciprocally made good, without any delay, to them, their lawful Procurators, Heirs, or those to whom their cause is intrusted, and restitution shall be made of those goods, whether lands, buildings, or inheritance, or of what sort soever they are, which remain and were confiscated, and the just and lawful price of those goods which cannot be recovered, whether moveable or immovable, shall be paid; and Their Majesties have articleed and agreed that the said payments (the pretensions to them being, as is aforesaid fully proved), shall faithfully be performed and made by their Treasurers on each part.

ARTICLE VIII.*

"Millon" Duties on Fish, &c.

It is agreed, and His Catholic Majesty will give effectual orders to that purpose, that the Duties upon fish and other provision, called Millon, shall not be demanded in the place where the said wares first arrive; but the said Duties shall be paid according to the ancient custom established by Law, only in the place of consumption, and when the wares are sold, and not before.

ARTICLE IX.

Duties on Merchandize not Mentioned in Tariff.

His Catholic Majesty promises that those Merchandizes which are not particularly mentioned in the Catalogue of Rates, which is to be made according to the IIIrd Article of this Treaty, shall

* See Queen Anne's Ratification of this Treaty on p. 843.

be charged with the same Duties in proportion to their value, and no greater than those which are laid upon merchandises named in the said Catalogue of Rates. And if any difference arises between the Farmers of the Custom-houses, or Commissaries, and any Merchant, concerning the value of any wares, it shall be in the choice of the Merchant to sell his wares to the Farmer or Commissary at the price the Farmer of the Custom-house valued them at, (which price shall be immediately paid in ready money, the Duties only deducted,) or else to give part of his merchandises at the rates set upon them, as hath been mentioned, to the Farmer or Commissary, instead of the Duty, and retain the rest.

ARTICLE X.

Duties in Spain on Wares from Africa.

It is agreed, that in case the British Subjects shall bring any wares from any part of the coasts of Africa into Spain, and the same shall be admitted to pay the Duties, those being duly paid, the said wares shall not afterwards be charged, either by the Captains-General of the Coasts, or Commanders of the Harbours, or any body else, with any other Duties, under what name or title soever, excepting such as are payable in general, for all wares of the same sort, at the time of their sale.

ARTICLE XI.

Spanish Customs Formalities.

The Masters of Merchant Ships who shall enter into any Port of Spain with their Ships, shall be obliged within 24 hours after their arrival to deliver 2 Declarations or Inventories of their wares, or of that part of them which they are to unlade there, viz., one Declaration to the Farmer of the Custom-houses or Commissary, and another to the Judge of the Contraband, nor shall they open the hatches of their Ships till they either have Searchers with them, or have leave given them by the Farmer of the Custom-houses to do it. No wares shall be unladen with any other view than that of being immediately carried to the Custom-houses, according to a permission which shall be given in writing, for that end. It shall not be lawful, however, for any of the Judges of Contraband, or other Officers of the Custom-houses, under any pretence whatsoever, to open any bags, chests, hogsheads, or other covers of any wares whatsoever, belonging to the Subjects of Great Britain, while they are carrying to the Custom-house and before they are brought thither, and the Proprietor of them, or his Factor, is also come, who may discharge the Duties and take the goods into his own custody. But the said Judges of Contraband or their Deputies, may be present when the wares are taken out of the Ships, and also when they are declared and laid open in the Custom-house, and if there be suspicion of deceit, as

that it is designed to lay open one merchandise instead of another, it shall be lawful for him to open all the bags, chests, and hogs-heads, so this be done in the Custom-house and no other place, and in the presence of the Merchant, or his Factor, and not otherwise. But when the goods have been exposed, and carried away from the Custom-house, and the chests, hogsheads, or other covers containing them, have been marked with the sign or seal of the proper Officer, no Judge of the Contraband, or other Officer, shall presume to open them again, or to hinder them from being carried to the Merchant's house. Neither shall it be lawful for them, under any pretence whatsoever, to hinder the said goods from being carried from one house or warehouse to another, within the walls or compass of the said City or Place, provided that be done between the hours of 8 in the morning and 5 in the evening, and previous notice be given to the Farmers of the rights "de Alcavalos and Cientos," of the intent with which those goods are removed, to wit, whether it be that they should be sold, that in that case those Duties if not paid before, may be paid there or at the place of sale; or if they are not to be sold, then a Certificate may be given, after the usual manner, to the Merchant. Furthermore it shall be lawful to carry wares from any Port or Place within the King of Spain's Dominions to any other Port or Place, either by sea or land, under such conditions as are expressed in the Vth Article of this Treaty.

ARTICLE XII.

Import Duties in Canary Islands.

The Duties upon merchandise brought into the Canary Islands, exported from thence by British Subjects, shall not be greater than those that were paid in the Reign of the late King Charles the IInd, or such as shall become payable by the new Book of Rates.

ARTICLE XIII.

Payment of Debts contracted before late War or within Six Months of its commencement.

The subjects of each of Their Majesties who are in debt to the Subjects of the other, whether the debts were contracted before the beginning of the said War, or within the space of 6 months after it was begun, (or during the War, under the protection of Letters of Safe Conduct,) or lastly, after a truce was made between the 2 Crowns, shall be bound and obliged faithfully to pay the same, in the same manner as if War had never arose between the 2 Crowns, nor shall they be permitted to raise any exceptions against the just demands of their Creditors on pretence of the War.

ARTICLE XIV.

British Subjects may settle in St. Ander.

His Catholic Majesty gives leave to the Subjects of Great Britain to settle themselves, and dwell in the Town called

St. Ander, upon the terms that are expressed in the IXth and XXXth Articles of the Treaty of 1667.

ARTICLE XV.

Appointment of Judge Conservator, &c.—Most-favoured-nation Treatment.—Administration of Justice.

As to the Judge Conservator, and others to be substituted by him, if this privilege be granted to any other Foreign Nation whatsoever, the Subjects of Great Britain shall likewise enjoy it. In the mean time however, and until something certain shall be determined in this matter, His Catholic Majesty will give express orders to all and every one of the Judges of His Kingdom, and to all others whomsoever who are any ways concerned in the administration or execution of justice, and shall enjoin the same, under the strictest penalties, to do justice, and cause it to be executed, without any delay, partiality, favour or affection, in all Causes relating to the Subjects of Great Britain.

The Catholic King consents, that Appeals from Sentences in Causes concerning the British Subjects, may be brought before the Tribunal of the Council of War at Madrid, and no where else.

ARTICLE XVI.

Penalties for Violation of Treaty.

If any Minister or other Subject of Her Majesty of Great Britain, or of His Catholic Majesty, shall violate this Treaty, or any Article of it, he shall be responsible for all the damage occasioned by it, and if he be placed in any public office, he shall, besides making satisfaction to the injured Party (as is aforesaid), be deprived of his office also.

ARTICLE XVII.

No Spanish Duties on Transhipment.

The Subjects of Great Britain having brought by sea from any other Port in Spain, wine, brandy, oil, soap, dried grapes, or other merchandises, and producing Certificates that the Duties were paid at the place whence they set sail, shall be suffered to put the same into their Ships lying at Cadiz, or there to remove them from one Ship to another (with the consent of the Inspectors of the Maritime Affairs, and in the presence of them, or their Deputies, if they have a mind to be there, and at a seasonable time, to be appointed by the said Inspectors within 24 hours, in order to prevent all frauds whatsoever,) and to carry away from thence, with this liberty, that they shall not pay the Duty called *Hondeaxe*, or any other of entrance or going out.

The present Treaty shall be ratified by the Most Serene Queen of Great Britain, and the Most Serene Catholic King, and the Ratifications shall be exchanged at Utrecht, within 2 months, or sooner if possible.

In witness whereof, we the underwritten Ambassadors Extraordinary and Plenipotentiaries of the Queen of Great Britain and the Catholic King, have signed and sealed this present Instrument, at Utrecht, the $\frac{28}{9}$ th day of ^{November}~~December~~, 1713.

(L.S.) JOH. BRISTOL. (L.S.) DUQUE DE OSSUNA.
(L.S.) EL MARQUES DE MONTELEONE.

WE, having seen and considered the above-written Treaty, have approved, ratified, and confirmed the same, as we do by these Presents, for Ourselves, our Heirs and Successors, approve, ratify, and confirm it, excepting only 3 Articles thereof, viz., the IIIrd, Vth, and VIIIth, concluded at Utrecht, which are to be observed and understood in the manner and form following:—

ARTICLE III.

Liberty for British Subjects to Trade throughout Spanish Dominions.

Whereas by the late Treaty of Peace it is agreed and established as a basis and foundation, that the Subjects of Great Britain, in what regards commerce, shall enjoy the same liberties and privileges which they enjoyed in the Reign of King Charles the IInd, in all parts of the King of Spain's Dominions, which rule is what is also to serve for a basis and foundation of the present Treaty of Commerce, and is to be understood reciprocally in favour of the King of Spain's Subjects trading in the Dominions of Great Britain. And as nothing can contribute more to establish the commerce to a mutual benefit than a fixed, clear, and easy rule in paying the Duties, especially on a moderate footing, and proportionable to the value of the merchandise, in order to prevent the frauds that otherwise would be practised, to the prejudice of the Revenues of either Crown, which has been often experienced in Spain, where the established Duties by the ancient Books of Rates are excessive; in consideration whereof His Catholic Majesty, being desirous to avoid the like consequences, and to favour, augment, and facilitate, in all that depends upon him, the commerce, in as ample a manner as Her Britannic Majesty desires, hath consented, on his part, to suppress and make void the different Duties payable upon importation and exportation, contained in the ancient Books of Rates, as also those that have been imposed since, under any name or pretence whatsoever, and content himself with one only Duty, to be paid on importation of all goods and merchandise, after the rate of 10 per cent. of their value; and the like Duty upon all goods and merchandise which shall be exported out of his Dominions, whether the valuation be made by weight,

measure, piece, or ad valorem; and the same Duty shall be collected in all the Ports of entry in Spain, comprehending those of Arragon, Valencia, and Catalonia, excepting out of this general rule Biscaya and Guipuscoa whose Duties of importation and exportation are to remain as they were in the time of Charles the IInd. And that the said 10 per cent. being once paid, the Farmers or Officers of the Custom-houses where those goods shall be entered, shall be obliged to mark the same with the proper Seals and Marks of their office, and also give the requisite Despatches; by virtue of which the Proprietors of the goods may freely transport them to all the other parts of Spain where they please, without being liable to pay any other Duty, imposition, or charges to the use or benefit of His Catholic Majesty, in any Ports or Parts of Spain whatsoever, in respect of transporting the said merchandise, over and above what they have paid in pursuance of this new Arancel, provided the receipts and marks are produced; in default of which, they shall be esteemed to be fraudulently transported. But it is to be understood that it is not to extend to the Alcavalas, Cientos, and Millones, in relation to which provision is made in the Vth and VIIIth Articles of this Treaty.

And for as much as the Ambassador of England hath represented, that to avoid all differences and disputes for the future, it is absolutely necessary to establish a certain valuation or rate of the several sorts of merchandise, by which the said Duty of 10 per cent. shall always be paid, and not altered, either by means of the augmentation or diminution of the price of the said merchandise, which may hereafter happen in the commerce, in any time, or in any part of the Kingdom; it is agreed by Their Catholic and Britannic Majesties, by their Ambassadors, that in the term of 3 months from the Ratification of this Treaty, or sooner if possible, Commissaries named and authorized by both Their Majesties in due form, shall meet at Madrid or in Cadiz, who, without loss of time, shall proceed to the forming a new Book of Rates, in such a manner as to fix and limit what shall be paid for the future on all sorts of merchandise, as well upon importation as exportation; and so as that all the different Duties which were payable, either before or in the time of Charles the IInd, or since, under whatsoever name or pretence, or collected in different Custom-houses or offices, shall be comprehended in this only Duty, payable in one sum, whether upon importation or exportation, in all the Ports of Spain, and shall extend to the Kingdoms of Arragon, Valencia, and Principality of Catalonia, and their Dependencies, excepting only the Provinces of Guipuscoa and Biscaya, of which mention has been already made. And whereas great instances have been made by the Ambassador of Great Britain, that directions be given to the said Commissaries, that they take care, and above all, do observe as a fixed rule, that this Duty be laid equally and generally in all the Ports and Custom-houses of Spain, upon the importation and exportation of all goods and merchandise, after the rate of 10 per cent. of the value which such goods and merchandise bear in the course of

trade, between the Merchants of Cadiz and Port St. Mary's, to which the Ambassadors of Spain have consented; always provided, that the goods and commodities which shall be imported into the Kingdom of Spain by the Ports of Biscaya and Guipuscoa, and afterwards transported into the other Provinces depending on the Kingdoms of Castille and Arragon, shall be obliged to pay at the first Custom-house of entry into the said Kingdoms, the Duties which shall be established in this new Book of Rates.

ARTICLE V.

"Alcavalas and Cientos" Duties.

To prevent the abuses that may be committed in collecting the Duties called Alcavalas and Cientos, His Catholic Majesty consents that the Subjects of Her Britannic Majesty shall not be obliged to pay these Duties during such time as they think fit to let their merchandise remain in the magazines of the Custom-houses appointed for that purpose; but when they shall think fit to take out the said goods, either to be transported farther into the Country, sell them in the same place, or carry them to their own houses, it shall be permitted them so to do, upon giving his Bond, with sufficient security, to pay the said Duties of Alcavalas and Cientos for the first sale in 2 months after the date of his Bond, upon which he shall have receipts given him for the said Duties, and the goods shall be marked with the proper Mark and Seal of the Farmers of the said Alcavalas and Cientos, where such Bond and security shall be given for the first sale, after which the said merchandise may be transported and sold by wholesale in any Port or place belonging to the King of Spain in Europe; and that no obstruction or hindrance shall be made upon account of the said Duties, nor the Proprietor liable to pay a second time in respect of the first sale, provided those who carry the said merchandises produce the receipts and marks of the Farmer or proper Officer concerned in the collection of these Duties, or making sufficient proof of their not being sold before. But if, on the contrary, any Merchant do sell his goods by retail, he shall be obliged to pay the said Duties of Alcavalas and Cientos a second time, under the pains established by the Laws. And His Catholic Majesty declares that if any Officer of the Alcavalas and Cientos shall exact a second time the said Duties on the same merchandise, when the said receipts and marks have been produced, or should obstruct their passage, or transportation, or occasion the least impediment, such Officer shall be fined 2000 crowns to the benefit of His Majesty's Revenues. And the Officers of the Custom-houses shall not demand or take for making such receipts or certificates more than 15 reals vellon, unless it be otherwise settled in the new Book of Rates,

ARTICLE VIII.

" Millones " Duties on Fish, &c.

His Catholic Majesty consents, that the Duties commonly called Millones, which are payable upon fish and other sorts of domestic provisions, shall not be demanded in the first Ports or Custom-houses of entry in Spain, during such time as the proprietors will let them remain in the warehouses appointed for that purpose. But in case the Owner shall desire to take them out, either to send into the Country, sell them on the place, or carry them to their own houses, they are then to give Bond, with good security, to pay the said duty of Millones in 2 months after date of the said Bond, upon which the necessary Despatches are to be given them. And the said merchandise shall be marked with the Seals or Marks of the Farmers of the Millones where the said Duties were secured, after which the said goods may be transported to and sold in the places where they are to be consumed, without paying any new Duties of Millones. His Majesty also declares, that if, after the receipts are produced, any Officer belonging to the Farmers of the Millones should exact a second time the same Duties on the same goods, or should oppose their passage, transport, or sale, or occasion the least impediment, the said Officer shall be fined 2000 crowns, for the benefit of His Majesty's Revenue.

Therefore, by virtue of these Presents, we do approve and ratify the Treaty above-written, as likewise the 3 Articles, viz., the IIIrd, Vth, and VIIIth, as they are set forth in this Instrument of Ratification, and are to be taken as part of the said Treaty, and to have the same force and effect as if they had been inserted therein : promising and engaging our Royal word, that we will faithfully and religiously perform and observe all and singular the things agreed upon in this Treaty. and that we will not suffer the same to be violated by any one, as far as lies in our power. For the greater testimony and validity whereof, we have caused our Great Seal to be affixed to these Presents, which we have signed with our Royal hand. Given at our Castle of Windsor, the 7th day of February, 17 $\frac{13}{14}$, in the 12th year of our Reign.

ANNE R.

SEPARATE ARTICLE.

By the present Separate Article, which shall be altogether of the same validity and force as if it was inserted word for word in the Treaty of Commerce this day concluded between Their Royal Majesties of Great Britain and Spain, and shall for that end be ratified, as well as the said Treaty ; His Catholic Majesty consents, that it shall at all times hereafter be lawful for the British Subjects who shall live in the Canary Islands, for the sake of their trade, to nominate some one Person, being a Subject of Spain, who shall execute the office of Judge Conservator there, and shall at the first instance take cognizance of all causes relating to the commerce of the British Subjects; and His Royal Majesty

promises, that he will grant Commissions to such Judge Conservator so named, together with the same authority and all the privileges which the Judges Conservators have formerly enjoyed in Andalusia. And if the British Subjects shall desire to have more Judges of that sort there, or to change those that are appointed every 3 years, it shall be allowed and granted them. His Catholic Majesty consents, likewise, that Appeals from the Sentences of the said Judge Conservator shall be brought before the Tribunal at the Council of War at Madrid, and no where else.

In witness whereof we, the underwritten Ambassadors Extraordinary and Plenipotentiaries of Her Sacred Majesty of Great Britain, and of His Sacred Catholic Majesty, have signed and sealed these Presents at Utrecht, the $\frac{28}{9}$ day of ^{November} December, 1713.

(L.S.) JOH. BRISTOL.

(L.S.) DUQUE DE OSSUNA.

(L.S.) EL MARQUES DE MONTELEONE.

No. 157.

TREATY OF COMMERCE BETWEEN GREAT BRITAIN AND SPAIN.

Signed at Madrid, December 14, 1715.

WHEREAS, since the Treaties of Peace and Commerce, lately concluded at Utrecht, on the 13th of July and 9th of December, 1713, between His Catholic Majesty and Her late Majesty the Queen of Great Britain (of glorious memory) some differences remained about commerce, and the cause thereof; Their Catholic and Britannic Majesties, being inclined to maintain and cultivate a firm and inviolable Peace and friendship, have (for attaining so good an end) by the 2 Ministers reciprocally and in due form authorized for this purpose, caused the following Articles to be concluded and signed:—

ARTICLE I.

Import and Export Duties in Spanish Ports.

The British Subjects shall not be obliged to pay higher or other Duties for goods which they shall bring in or carry out of the several Ports of His Catholic Majesty, than those which they paid for the same goods in the time of King Charles II, settled

by Cedulas and Ordinances of the said King or his Predecessors; and though the favour or allowance called *Pie del fardo* be not founded on any Royal Ordinance, yet His Catholic Majesty declares, wills, and ordains, that it shall be observed now and for the future as an inviolable Law; which Duties shall be demanded and collected, now, and for the future, with the same advantages and favours to the said Subjects.

ARTICLE II.

Confirmation of Treaty of 1700 between British Merchants and Magistrates of St. Ander.

His Catholic Majesty confirms the Treaty made by the British Merchants with the Magistrates of St. Ander, in the year 1700.

ARTICLE III.

British Subjects may Gather Salt in Island of Tortudos.

His Catholic Majesty allows the said Subjects to gather salt in the Island of Tortudos, they having enjoyed that permission in the time of King Charles the IInd without interruption.

ARTICLE IV.

Duties to be Paid by British Subjects—National Treatment.

The said Subjects shall not any where pay higher or other Duties than those which His Catholic Majesty's Subjects pay in the same place.

ARTICLE V.

Privileges, Immunities, Exemptions, &c., under Royal Cedulas and Ordinances.—Most-favoured-nation Treatment.

The said subjects shall enjoy all the rights, privileges, franchises, exemptions and immunities whatsoever, which they enjoyed before the last War, by virtue of the Royal Cedulas or Ordinances, and by the Articles of the Treaty of Peace and Commerce, made at Madrid, in 1667, which is fully confirmed here; and the said Subjects shall be used in Spain in the same manner as the most favoured Nation, and consequently all Nations shall pay the same Duties on wool and other merchandise which shall be brought into, or carried out of these Kingdoms by land, as the said Subjects pay on the same goods which they shall import or export by sea; and all the rights, privileges, franchises, exemptions, and immunities, which shall be granted or permitted to any Nation whatever, shall likewise be granted and permitted to the said Subjects; the same shall be granted, observed, and permitted to the Subjects of Spain in the Kingdoms of His Britannic Majesty.

ARTICLE VI.

Commercial Innovations.

And as there may have been innovations in commerce, His Catholic Majesty promises to use all possible endeavours on his part for abolishing them; and for the future will, by all sorts of means, cause them to be forborne. In the like manner His Britannic Majesty promises to use all possible endeavours for abolishing all innovations on his part, and for the future will by all sorts of means cause them to be forborne.

ARTICLE VII.

Confirmation of Treaty of December 9, 1713, with Certain Exceptions.

The Treaty of Commerce made at Utrecht, on the 9th of December, 1713, shall remain in force, those Articles excepted which shall appear to be contrary to what is concluded and signed this day, which shall be abolished and of no force, and especially the 3 Articles commonly called Explanatory; and these Presents shall be approved, ratified, and exchanged on both sides within the term of 6 weeks, or sooner if it be possible.

In witness whereof, and by virtue of our Full Powers, we have signed these Presents at Madrid, on the $\frac{3}{4}$ day of December, 1715.

(L.S.) GEORGE BUBB.

(L.S.) EL MARQ. DE BEDMAR.

Annex.

TREATY BETWEEN THE BRITISH MERCHANTS AND THE MAGISTRATES OF ST. ANDER, SEPTEMBER 12, 1700.

[*Referred to in Article II of the preceding Treaty of 14th December, 1715.*]

(Translation.)

ARTICLES arranged by the Magistracy and Ayuntamiento of the Town of Santander with different Merchants of the English Nation, Residents of the Town of Bilboa, on the subject of removing their intercourse, commerce, and residence to Santander, offering them for that object various favours and advantages. In the said Town of Santander, 12th September, 1700.

In the very loyal town of Santander, on the 12th day of the month of September, 1700, the Magistracy and Administration thereof, especially and particularly Captain Don Manuel Antonio de Santian, Knight of the Order of Santiago, as the most ancient Regidor, exercising the office of Ordinary Alcalde; Captain Don Juan Antonio de Toraya Vereterra; Captain Don Fernando de Herrera; Carreto de Cevallos; Don Juan Manuel de Cevallos Guzmán, and the Ensign Don Antonio de las Cabadas, Regidores; and Don Antonio de Campuzano Riva Herrera, Knight of the Order of Santiago; and the Count de Mansilla, Lord of the Town of Zerezo, Syndic Procurator-General; assembled in the Capitular Hall of the Ayuntamiento of this City;

having previously conferred with the Knights and other Persons who were called and convoked to an Open Council, to whom were notified, and caused to be notified all the Articles and Stipulations that herein shall be inserted, on the one part; and on the other, Don Rodrigo Slingar, Don Daniel Dambrin, Don Guillermo Gotoclin, Don Andres Broughton, Don Henrique Vite, Don Roberto Earle, Don Gilberto Gronies, Don Abraham Lordoll, Merchants of the English Nation; who said that, inasmuch as they had come to confer and treat with the said Magistracy and Administration thereof, and other Inhabitants, about therein settling their abode, and the trade which they carry on in the Town of Bilboa, in the Lordship of Biscay, as well on the part of themselves, as for those who at present reside in the said Town of Bilboa, and in future should wish to come to Santander, in conformity with the order which they have obtained for that effect; to whom they gave consent and security, in form, that they will hold by and act according to all that is treated of and arranged with the said Magistracy and Administration thereof; and having for that purpose conferred with all the Gentlemen of the Open Council, for the greater service of God, of His Catholic Majesty the King our Lord, and for the good and utility of his Kingdoms, and of the Inhabitants and Natives of this City and its jurisdiction, the putting into execution, on both sides, of what follows is assented and agreed to.

ART. I. In the first place, this Town, its Ayuntamiento, Council, and Inhabitants in general in Open Council, having been informed, by public Documents laid before them by the said Gentlemen, Merchants of the English Nation, that, if they shall be well treated and conveniently attended to in this City, they will come thereto by consent, together with their persons, houses, and Families, removing their trade, connections, and correspondences, from the Town of Bilboa, where they at present carry them on; and this City aforesaid, well understanding that such can redound and does redound to the public advantage of these Kingdoms, and to the greater service of His Majesty (whom God preserve), and to the considerable advantage and utility of its Inhabitants, and the Dwellers therein; for which cause, in so far as depends on its part, it concedes and grants that they shall enjoy, and that they do enjoy the same conveniences, emoluments, and immunities, which are enjoyed and possessed by the People, Inhabitants and Natives thereof, without any difference, tax, or burden being imposed, or any other annual charge, in whatever may depend on its political government.

II. Also it concedes and grants to those who are or may become Roman Catholics, and who, with their Wives, Household, and Family, have completed 5 years of residence therein, that they may have liberty to enjoy and obtain the honourable offices thereof, and a voice, and active and passive vote, in conformity with the custom and Charter of Election which it possesses, to enable it to distribute the said offices among its Inhabitants.

III. Also to those who may not be Roman Catholics, it will allow the same usage and treatment which is observed towards them in the Cities of Seville, Cadiz, Malaga, and the Ports of Andalusia, conformably to certain of the Articles contained in the Treaties of Peace and agreement that exist between this Crown and that of England, and that too in the same sense and declarations which are therein set forth in that respect; and as the same is described in other Articles made in favour of the Hanse Towns and Cities, and the United Provinces, which are to be understood as above referred to.

IV. Also this Town, being correctly informed of all the Articles, Agreements, and Treaties of Peace between the said 2 Crowns, and others referred to, and of the other privileges, exemptions, and liberties, which are granted to the said English Nation, and to its Merchants, by the Kings passed, and by the Very Catholic one our Lord and Monarch Don Carlos II, by different Cedula's, Privileges, and Patents, which have been exhibited, the which are proved by Testimonials and other Instruments; this Town from henceforth consents that, towards all those who may come to dwell therein by consent, in order to traffic in its District, Term, and Jurisdiction, without any alteration, may be fully ensured, complied with, and observed

all in general which is supposed to be inserted in this Treaty ; and it will never allow that they be injured or annoyed in any way, but, on the contrary, that every assistance and aid shall be given to them for their defence, so that they have the perfect effect and full observance, which is conducive to their quiet and free commerce.

V. That in the cases which occur touching the said commerce, policies of Ships, securities, and other things, they shall abide by whatever may be determined by the Judge Conservator whom they shall have, assisted by 2 or more Persons, who shall be named for the purpose of the said Foreign commerce ; the whole truth being divulged as to every thing, and good faith being observed.

VI. Also it is conceded to them, in conformity with the aforesaid their privileges, that His Majesty will give and appoint a private Judge Conservator to be elected for their causes, law-suits, and business that may occur, according as, and in the way which, the Merchants of the City of Seville, and other Ports of that Coast, have them ; and with the Declarations contained in the aforesaid Cédulas and favours granted to the said Merchants.

VII. Also if (which may God not bring to pass or permit) at any time War should take place between the 2 Crowns, this Town, in so far as it can consistently with the faith and loyalty which it owes to its King and natural Lord, will assist the said Merchants, and give them every facility and good treatment which may be in its power, as well within the said City and its Jurisdiction, as in the representations which it may present to the King and his Ministers, in order that they may be treated with the greatest equity and benignity, protecting their effects and business, in as far as it is possible and permitted, and that by the means which may appear to it most befitting such an occasion ; and in all cases the Articles of Peace shall be attended to which are stipulated on this point, giving them the space of 6 months, which is allotted to them, for the withdrawal of their property, Persons, and Families.

VIII. Also, in order to show every favour to the said Merchants, and to those of their Nation and others who may join the trade of this Town, it shall be conceded and allowed to them, to build private houses therein, in conformity with the power which is accorded to it by the Laws of these Kingdoms ; and the Magistracy and Ayuntamiento will give and mark out lands and estates, whereon they may construct, in their own way, the dwellings and gardens which are necessary, and to which their power extends ; and it is moreover granted that they may purchase manufactories, and reside in them, or in dwelling houses, inns, or hired houses, without their being obliged to live with the Inhabitants, or to incur charges for lodging, guards, or for other things, be they what they may, and that they may employ for their service male or female Servants, in the same form which is permitted to them, and as is done by the English Merchants in the Cities of Seville, Cadiz, and in the other parts of Andalusia.

IX. It is also granted them, that all the merchandise which they may bring, or which may arrive at the Port and Jurisdiction of this Town for the account of the said Merchants forwarded or consigned to any of them, or from Foreigners in these Kingdoms, may by them be shipped from Vessel to Vessel in this Port, as shall seem best to them, without their paying for the same any Duties but those which may lawfully be collected and recovered for this Town by its legal Collectors, or any other Duties whatsoever, unless arising from the List of Liabilities ; and also they may warehouse the said merchandise and goods, and again withdraw them, when they shall think proper, without paying for them the said dues, or any other Contributions of the nature of those referred to or suppressed ; and the same is understood, and is to be understood as to Vessels which may enter the said Harbour with any kind of provisions and other merchandise ; with which goods, should they not be wanted, or should no convenience be ready for their disposal, they shall be allowed freely to depart again.

X. And also it is conceded and granted to the said English Merchants, that they may carry on their correspondence and commissions in all parts of the north of these Kingdoms, and others at Peace with them, and may

receive the goods which may come addressed and consigned to them, sell and embark them, and proceed therewith from this Town to the Provinces of Castile, and other parts of the Kingdom, as they may judge best, without any limitation or restriction.

XI. And inasmuch as the said Merchants, having to remove and transfer their residence from the Town of Bilboa to that of Santander, and the former Town being exempt and free from Contributions and Royal Tributes, in which they enjoyed that advantage; therefore this Town, wishing to correspond on that point in all that is possible, and desiring to attract commerce for the greater benefit of the Public of these Kingdoms, and the augmentation of the Royal Treasury and its Possessions, by trafficking and transporting goods through lands not exempt or privileged unto the very site of this Town, and to all the parts of it; for the causes set forth, and this said City understanding that service is done thereby to His Majesty, it grants, stipulates, and promises to the said Merchants, that the liabilities placed to their account and charge for what relates to the Duties of Alcavalas, Cientos, and Millones, shall not be levied on what they may traffic in, deal in, sell, or exchange, except with regard to the 1 per cent., and the limitations and notices which remain and shall be set down in these Articles and Agreements; and in order to ensure to them this advantage, and that, moved thereby, they may come to this Town and carry on their trade therein, this Town will solicit that, at the same time that proceedings are taken for the approval of these Articles in the Council, the manner and form may be settled and granted to them, whereby in future they are to be bound in respect of Contributions and Royal Taxes, and that it be certain and unalterable; and this being obtained (as it is hoped that it will be) from the great love and zeal with which His Majesty has always contemplated this Town and Port, and for the causes of the greater public benefit, and augmentation of the Royal service, and for other urgent reasons which exist, and shall be represented; in such case of obtaining it (as is not to be doubted,) the said justice and equity shall be preserved to the said Merchants, and, for the said cause and others, no more amount of money or taxes, except the 1 per cent. on all which they sell and deal in, shall be levied from them, always remaining excepted and reserved, whatever they may sell and exchange among themselves, for which they have not to pay any Duties or other Taxes, because it is so stipulated in the supposition of that which we have mentioned and referred to.

XII. And in order to benefit still further the said Merchants, this Town also grants and concedes to them that they may take away the produce of this land, even should they buy it for that purpose, without any Taxes or Duties being levied upon the said Merchants, inasmuch as the Town Dues of the ground are to be paid by such as sell the produce, and bring it to this said Town, and its Jurisdiction, and they shall only pay what is customary, and can be and is usually levied for the Town Dues aforesaid.

XIII. Also, that for the said produce, and other goods, which the said Merchants may disembark, they are only to pay the Town Dues called of Sea, and for that at the rate of 1 real vellon, which is stipulated for every sack of wool, of the value of 600 reals of silver, and 900 of vellon; so that, for that no more may be levied from them, than in the said ratio for the said Town Dues of Sea.

XIV. Also it is one of the said conditions, in order to avoid doubts and other inconveniences which might embarrass the said commerce, that any goods and merchandise, of whatever quality soever, shall not be chargeable with Duty at the time of discharging the cargo, nor afterwards, for any Dues of 10 per cent. or Harbour Fees, although here in this Town they be consumed and sold; only for those which depart herefrom, and shall be transported to the Provinces of Castile by the Persons who transport them or for whose account they may be, who must carry their Cocket and Certificate, and pay Duty and Fees in the Custom-houses of the Interior, which are regulated in the passage and transits as stated; and thus it is set down and agreed, since it has not been the usage and custom, that no occasion may arise to contravene it; and it is declared that the goods and merchandise which may come and be transmitted to the said Merchants

from other parts of the Sea, may and can be again embarked at liberty, and be sent to the places which may be arranged, without paying any Dues of 10 per cent. or others, because in this case they do not owe them.

XV. Also this City stipulates that the Merchants who may purchase merchandise, to transport to the lands of Asturias, Galicia, and other parts by sea, shall have permission and liberty to carry them without their paying, for that reason, any Dues for the persons who may purchase them, which are to be settled by those who sell them, as well Royal Duties as Town Dues. And because the said Merchants may bring a considerable quantity of wools from the parts which may suit them, and others purchase them in this City, from the Persons who may bring them, to sell them in exchange for goods and money, it is stipulated that neither for the one, nor the other, have they to pay, or shall they pay, more than a real vellon for each sack, on account of the Town Dues of this Town, whether it be for those of sea, or for those of land, inasmuch as neither for the one or the other have they to pay more, or shall they be made to pay more, or other Duties, on account of the Duties of Cientos, Alcavalas, or for other causes, but only the said real vellon which is due by the Carrier or Transporter of the said wools, for what is called the *Pie de mulo*; and to the end that the said Merchants may obtain greater advantages, and be exposed to less inconveniences, this City will contribute on its part with the necessary Official Letters and Representations, in order that His Majesty and the Farmers-General of Revenue may regulate, and provide how the said 10 per cent. and other Duties, and all others in respect of the said wools, and laid thereupon, shall be paid in this Town, at the time of embarkation, and for the goods and merchandise which are to go out and be transmitted by the said Merchants from this City, to any Towns and Places of Castile, the said 10 per cent. and other Duties, may also be paid in this said City; and for both purposes, this Town will lend on its part the necessary aid, and adopt the official proceedings which may be befitting for the said trade.

XVI. Also, it is agreed and stipulated, that the said Merchants may sell in their shops or warehouses, by wholesale or retail, excepting in small things of little value, such as ribbons, *Velduques*, strings, stockings, or similar things, which are put up in dozens, fish, and fat, by the arroba, grain by the fanega, cloths by the piece, and not by the vara or by the pound; but it shall be allowed to them, to sell by retail the merchandise of great value and price, such as amber, musk, civet, and other similar things which may be sold by ounces, or less, as shall be most convenient.

XVII. Also be it noted, as an agreement and condition, that the Pilots of this Town and Land shall bring into the Port and River thereof, Vessels belonging to the said Merchants, or which bring their goods and merchandise; and they are only to pay, for the entrance of each Ship of large build, a doubloon value of 2 gold crowns (*escudos de oro*); that is, 1 crown of gold for the entrance, and 1 for the going out. And, to the other Seamen who may go in Sloops, or small Boats, to aid in towing and entering the said Ships, they are to pay at the rate of $2\frac{1}{2}$ reals vellon each Man: and, if by accident of a storm or other impediment, they cannot at once bring up the said Ships to the secure anchorage ground, or opposite to the wharf, in that case, they shall help to moor and make the Vessel secure, until the accident or storm have passed over, and they shall, afterwards, return to bring the said Ships to the anchorage ground, for $2\frac{1}{2}$ reals more each Man; and it is understood, that the Crew of an ordinary Sloop, or small Boat, shall not exceed 8 Men; so that reckoning 2 more for the Sloop, the Sloop and Men shall receive 25 reals vellon. And that this may be realized, this Town will depute careful and qualified Men, to cause it to be executed, without occasioning delay or loss, or other injury; and should the Ship require further Men and Sloops, they are to be paid after the same rate and ratio.

XVIII. Also, this Town agrees and assents, that the said Merchants shall not pay any Duties of Excise and of Millones, for wines which they may enter therein, or which they may transmit to other parts, not selling or consuming them here; because these Duties are not liable except at the time of consumption, or on their entrance from Kingdoms or Provinces exempt,

XIX. Also, in conformity with what is above stated, declared, and agreed, and the which (as it hopes) will be fulfilled by this Town, it assents and agrees, that from henceforth, neither the Duties of Millones nor others shall be levied from the said Merchants, nor shall they be charged with any Duties for the wines which they may bring or receive from other parts, as a present for the consumption of their houses and families; the entrance of which shall be granted to them free from Duties.

XX. Also, it is a condition, that the said Merchants, for the carriage and transport of their goods and merchandise, which they may have to transport and remove for their account, or to enter and warehouse in their houses, may make use of the Persons whom they prefer and select; so that neither the said City, nor the Individual thereof, shall have power to adjust, regulate, or prescribe any price for the same; but they shall be allowed freely to act, and with the convenience suitable to them.

XXI. And it is also a Stipulation and Agreement, that the Duties of Alcavalas and Cientos, which are included and stipulated for in the 1 per cent., must be paid once a year, for all the goods and merchandise which the said Merchants may sell, expressing their price, and the sale concluded on each side in this Town; the proceeds not coming from the sale being excepted. And the medium and form which shall be used for the payment must be, that on the part of this Town, 2 Persons, of due note and probity, must be and shall be named and deputed; so that, with 2 others, nominated by and chosen from the body of the said Merchants, they may ascertain, to a fixed point, what every one has sold in each year: this being done after the declaration, and according to the computation, which these Persons shall make on oath, without recurring to any search of books or other measures.

XXII. Also it is stipulated and agreed, that all the goods that may enter into this River and Port, in whatever Ships of large or small build, which may come consigned and directed to the said Merchants, and those which transport them from one Ship to another, in order to remove them to other parts, without having landed them, are understood not to pay any Town Dues, or others in their stead, nor the Duties of Alcavalas and Cientos, in any time whatsoever, unless it should be that they sell them on land or sea in the District of this Town, and in that case alone they shall pay the 1 per cent. for the Duties of Alcavalas and Cientos, and no more.

XXIII. Also, let it be set down as a Stipulation and Condition, that the Ships which may enter into this Port, whatever Ships they be, or from whatever Port they come, ought only to pay, and shall pay, for the visit of each $1\frac{1}{2}$ dollar, 1 crown of silver for the Judge and Ordinary Magistracy, and as much more for the Ministers of the Inquisition, and half a crown for the Castles, and nothing else for whatever they may have introduced; and this is to be understood of those who have not been visited in any Port of Spain, because having been so visited, they are only to pay the said Duty to the said Castles; and that this visit is only to be paid for by Ships with a deck, and none others.

XXIV. The said Town stipulates and sets down as an Agreement, that for the iron which may be introduced and may enter into this Port, the said Merchants have not to pay, and shall not pay, any Duties, as it is in use and observance that they shall not, by reason of the Privilege and Cedula of His Majesty, obtained and issued at the instance of the said English Nation, in the year 1692; and in the same manner they may embark the same.

All which said Conditions, Articles, Agreements, and Arrangements, which are expressed and set down, and the same which have been referred to, agreeably to Peaces and Privileges, this Town offers and binds itself, in so far as it is concerned, and for times to come, that it may be fulfilled and observed punctually towards the said Merchants, without infringement, let, or hindrance, that, observing the form and quantities in the Tax-registers as permanent, there shall not be levied or withdrawn from them any other Maravedies, Taxes, or Contributions than those which are set down and specified: and, furthermore, it offers, stipulates, and agrees, that if in course of time it should be found that other conveniences ought or can be given to them, and good treatment of any kind, to preserve their trade, they shall be granted, added, and accorded to them, treating the said Merchants as the

most necessary and important Inhabitants, for the benefit and increase of this community, protecting their persons and property with their authority, as far as they can, and as may be granted, and with whatever concessions may be for the advantage of the said Merchants, which favourable results are left to experience, it being perfectly open to agree anew about these official measures and good correspondence, which will be always observed within reasonable bounds.

And the said Merchants and Deputies of the English Nation who are present at the granting of this Writing and its Articles, for themselves and others who are in the Town of Bilboa, and may come to reside in that of Santander, therein to live and trade and have dealing, to whom they have given their word and security, and give it anew, oblige themselves on their part to observe and adhere to what is now stipulated, and that they will pay, when the case may arrive, the said Duties which are expressed and limited to this Town, and to persons who, in its name, must collect and gather the said Dues; and both Parties, the Magistracy and Town Council, and the Merchants, agree to fulfil and execute all that is contained in these Articles, and the said Magistracy and Town Council pledging the Town Dues and Rents of the said Town, and the said Merchants their persons and goods, to give full power to the Justices and Judges to take cognizance of all their Causes, they announcing all the Laws, privileges, and rights in their favour, with the general one of the Law in form, and thus they have granted it before me, the Notary and Witnesses in this Town of Santander, the said day.

(Signatures of Magistrates and Merchants.)

No. 158.

TREATY OF PEACE AND FRIENDSHIP BETWEEN GREAT BRITAIN
AND SPAIN.

Signed at Seville, November 9, 1729.

(Extract.)

ARTICLE I.

Peace and Friendship.—Confirmation of Former Treaties.

Il y aura dès à présent et pour toujours une Paix solide, une Union étroite, et une Amitié sincère et constante, entre le Sérénissime Roi de la Grande Bretagne, le Sérénissime Roi d'Espagne, et le Sérénissime Roi Très Chrétien, leurs Héritiers et Successeurs, comme aussi entre leurs Royaumes et Sujets, pour l'assistance et la défense réciproque de leurs Etats et Intérêts; il y aura pareillement oubli de tout le passé; et tous les Traités et Conventions précédens, de Paix, d'Amitié et de Commerce, conclus entre les Puissances Contractantes respectivement, seront, comme ils le sont, effectivement renouvelés et confirmés, dans tous leurs points auxquels il n'est pas dérogré par le présent Traité, d'une manière aussi pleine et aussi ample comme si les

aits Traités étoient insérés ici de mot à mot ; Leurs dites Majestés promettant de ne rien faire, ni souffrir qu'il soit rien fait, qui puisse y être contraire, directement ou indirectement.

ARTICLE III.

No Privileges to be Granted which are Contrary to Confirmed Treaties.

Les Ministres de Sa Majesté Britannique et de Sa Majesté Très Chrétienne, ayant prétendu que dans les Traités conclus à Vienne entre l'Empereur et le Roi d'Espagne, l'année 1725, il y avoit plusieurs Clauses qui donnoient atteinte aux Articles des différens Traités de Commerce ou Traités de Paix qui peuvent regarder le Commerce, antérieur à l'année 1725, Sa Majesté Catholique a déclaré, comme elle déclare par le présent Article, qu'elle n'a jamais entendu accorder, ni ne laissera subsister en vertu des dits Traités de Vienne, aucun privilège contraire aux Traités ci-dessus confirmés.

ARTICLE IV.

British Commerce in America.

Ayant été convenu par les Articles Préliminaires, que le commerce des Nations Angloise et Française, tant en Europe qu'aux Indes, seroit rétabli sur le pied des Traités et Conventions antérieurs à l'année 1725, et nommément que celui de la Nation Angloise en Amérique s'exerceroit comme par le passé, l'on convient par le présent Article que tous Ordres nécessaires seront expédiés de part et d'autre sans aucun retardement, s'ils ne l'ont pas déjà été, soit pour l'exécution des dits Traités de Commerce, soit pour suppléer à ce qui pourroit manquer à l'entier rétablissement du commerce sur le pied des dits Traités et Conventions.

Fait à Séville, le 9 de Novembre, 1729.

(L.S.) W. STANHOPE.

(L.S.) EL MARQ. DE LA PAZ.

(L.S.) B. KEENE.

(L.S.) D. JOSEPH PATINO.

(Extract.)

SEPARATE ARTICLES.

ARTICLE I.

Commerce to be on Footing of Treaties previous to 1725.

Bien que, conformément aux Articles Préliminaires, il ait été dit par l'Article IV du Traité signé cejourd'hui, que le Commerce de la Nation Angloise en Amérique seroit rétabli sur le pied des

Traités et Conventions antérieurs à l'année 1725 ; cependant, pour plus de netteté, il est déclaré encore par le présent Article entre Leurs Majestés Britannique et Catholique, lequel aura la même force, et sera sous la même garantie, que le Traité signé cejourd'hui, que sous cette dénomination générale sont compris les Traités de Paix et de Commerce, conclus à Utrecht les 13 Juillet et 9 Décembre, de l'année 1713, dans lesquels sont compris le Traité de 1667 fait à Madrid, et les Cédules, y mentionnées, le Traité postérieur fait à Madrid le 14 Décembre, 1715, &c., &c. ; tous lesquels Traités mentionnés en cet Article, avec leurs Déclarations, seront dès aujourd'hui (même pendant l'examen des Commissaires) et demeureront dans leur force, vertu, et pleine vigueur ; pour l'observation desquels Sa Majesté Catholique fera expédier au plutôt, s'ils ne l'ont été, les Ordres et Cédules nécessaires, à ses Vice-Rois, Gouverneurs, et autres Ministres à qui il appartiendra, tant en Europe qu'aux Indes, afin que sans aucun délai ou interprétation ils les fassent observer et accomplir.

Pareillement Sa Majesté Britannique promet et s'engage de publier les Ordres nécessaires, s'il en manquoit, pour remettre le Commerce des Sujets de l'Espagne en tous les Pays de sa domination, sur le pied porté par les dits Traités, et pour les faire exactement observer et accomplir.

Fait à Seville, le 9 de Novembre, 1729.

(L.S.) W. STANHOPE.

(L.S.) EL MARQUIS DE PAZ.

(L.S.) B. KEENE.

(L.S.) D. JOSEPH PATINO.

No. 159.

TREATY OF COMMERCE BETWEEN GREAT BRITAIN AND SPAIN.

Signed at Madrid, October 5, 1750.

(Extract.)

ARTICLE IV.

Import and Export Duties payable by British Subjects in Spain.

HIS Catholic Majesty consents hereby that the British subjects be not obliged to pay higher or other Duties, nor upon any other estimate of the merchandises that they import to, or export from, the several Ports belonging to His Catholic Majesty, than those

they have paid for the said merchandises in the Reign of Charles II, King of Spain ; which were regulated by the Schedules and Ordinances of the said King or by those of his predecessors. And though the *Pie del fardo* (Regulation of the Duties, &c.) is not grounded upon any Royal Ordinance, His Catholic Majesty, this notwithstanding, does hereby declare, and it is his pleasure to order, that the same be observed at present and for the future as an inviolable Law ; and that all manner of Duties shall be demanded and received, at present and henceforward, in the same advantageous and favourable manner as granted to the said Subjects.

ARTICLE V.

Right of British Subjects to Gather Salt in Island of Tortudos.

His Catholic Majesty does hereby allow and permit the said Subjects to take and gather salt in the Island of Tortudos, without any hindrance, and in the manner as they have done it during the Reign of the said Charles II.

ARTICLE VI.

Imposts Payable by British Subjects.—National Treatment.

His Catholic Majesty consents by these that the said Subjects shall not pay in any part whatever higher or other Imposts than those that His Catholic Majesty's Subjects do pay in the same place.

ARTICLE VII.

General Most-favoured-nation Treatment.

His Catholic Majesty does hereby allow and consent that the said British Subjects shall enjoy all those rights, privileges, franchises, exemptions, and immunities which they did enjoy before the last War, by virtue and in consequence of the Schedules or the Royal Ordinances that were made thereupon, and agreeable to the Treaty of Peace and Commerce that has been made at Madrid in the year 1667 ; and that the said Subjects shall be treated in Spain in the same manner as those of the most favoured Nation ; and that, consequently, no Nation whatever shall pay less Duties for the wools and other merchandises that are brought or carried away by them from the Kingdoms of Spain by land, than the said Subjects shall pay for the same merchandises that they shall import or export by sea ; and that all the rights, privileges, franchises, exemptions, and immunities that are or shall be granted or allowed to any other Nation shall be likewise granted and allowed to the said British Subjects ; and His Britannic Majesty does hereby consent

that the same be granted and allowed to the Subjects of Spain in His Britannic Majesty's Kingdoms.

ARTICLE VIII.

Commercial Innovations.

His Catholic Majesty promises hereby to apply, on his part, his utmost care to take off and abolish all the innovations that had been introduced in the commerce, and that the same may be avoided for the future. His Britannic Majesty does hereby likewise promise, on his part, to apply his utmost care to take off all the innovations, and to avoid the same for the future.

ARTICLE IX.

Confirmation of Former Treaties not Contrary to this Treaty.

Their Catholic and Britannic Majesties do confirm, by the present Treaty, that of Aix-la-Chapelle, as also all the other Treaties thereby confirmed in all their Articles and Clauses, excepting, however, those that are derogatory to the present Treaty; as likewise the Treaty of Commerce that was concluded at Utrecht in the year 1713, excepting likewise those Articles that shall be found therein in contradiction to the present Treaty, which are by this abolished and of no force, and especially the three Articles of the said Treaty of Utrecht, commonly called Explanatory Articles.

Given at Madrid, the 5th of October, 1750.

(L.S.) B. KEENE.

(L.S.) JOSEPH DE CARVAJAL Y LANCASTER.

No. 160.

DEFINITIVE TREATY OF PEACE BETWEEN GREAT BRITAIN AND SPAIN.

Signed at Paris, February 10, 1763.

(Extract.)

ARTICLE II.

Confirmation of Former Treaties.

LES Traités de Westphalie de 1648; ceux de Madrid, entre les Couronnes de la Grande Bretagne et d'Espagne de 1667 et

de 1670 ; les Traités de Paix de Nimégue de 1678 et de 1679 ; de Ryswick de 1697 ; ceux de Paix et de Commerce d'Utrecht de 1713 ; celui de Bade de 1714 ; le Traité de la Triple Alliance de la Haye de 1717 ; celui de la Quadruple Alliance de Londres de 1718 ; le Traité de Paix de Vienne de 1738 ; le Traité Définitif d'Aix-la-Chapelle de 1748 ; et celui de Madrid, entre les Couronnes de la Grande Bretagne et d'Espagne, de 1750 ; aussi bien que les Traités entre les Couronnes d'Espagne et de Portugal, du 13 Février, 1668, du 6 Février, 1715, et du 12 Février, 1761 ; et celui du 11 Avril, 1713, entre la France et le Portugal, avec les garanties de la Grande Brétagne ; servent de base et de fondement à la Paix, et au présent Traité ; et pour cet effet, ils sont tous renouvelés et confirmés dans la meilleure forme, ainsi que tous les Traités en général, qui subsistoient entre les Hautes Parties Contractantes avant la Guerre, et comme s'ils étoient insérés ici mot à mot ; en sorte qu'ils devront être observés exactement à l'avenir dans toutes leur teneur, et religieusement exécutés, de part et d'autre, dans tous leurs points, auxquels il n'est pas dérogé par le présent Traité, nonobstant tout ce qui pourroit avoir été stipulé au contraire par aucune des Hautes Parties Contractantes : et toutes les dites Parties déclarent, qu'elles ne permettront pas qu'il subsiste aucun privilège, grâce ou indulgence, contraire aux Traités ci-dessus confirmés, à l'exception de ce qui aura été accordé et stipulé par le présent Traité.

ARTICLE XVI.

Prizes made by British Subjects in Time of Peace to be referred to British Courts of Admiralty.

La décision des Prises, faites en tems de Paix par les Sujets de la Grande Bretagne sur les Espagnols, sera remise aux Cours de Justice de l'Amirauté de la Grande Bretagne, conformément aux règles établies parmi toutes les Nations ; de sorte que la validité des dites Prises, entre les Nations Britannique et Espagnole, sera décidée et jugée selon le Droit des Gens, et selon les Traités, dans les Cours de Justice de la Nation qui aura fait la capture.

ARTICLE XVII.

Razing of Fortifications in Bay of Honduras erected by British Subjects.—British Subjects to be allowed to cut Logwood and carry it away without Molestation.

Sa Majesté Britannique fera démolir toutes les Fortifications que ses Sujets pourront avoir érigées dans la Baie de Honduras, et autres lieux du Territoire de l'Espagne dans cette partie du Monde, 4 mois après la Ratification du présent Traité : et Sa Majesté Catholique ne permettra point que les Sujets de Sa Majesté Britannique, ou leurs Ouvriers, soient inquiétés ou

molestés, sous aucun prétexte que ce soit, dans les dits lieux, dans leur occupation de couper, charger et transporter, le bois de teinture ou de campêche; et pour cet effet, ils pourront bâtir sans empêchement, et occuper sans interruption, les maisons et les magasins qui sont nécessaires pour eux, pour leurs familles, et pour leurs effets: et Sa Majesté Catholique leur assure, par cet Article, l'entière jouissance de ces avantages et facultés, sur les Côtes et Territoires Espagnols, comme il est stipulé ci-dessus, immédiatement après la Ratification du présent Traité.

ARTICLE XVIII.

Renunciation of Rights of Guipuscoans and others to fish off Newfoundland.

Sa Majesté Catholique se désiste, tant pour elle que pour ses Successeurs, de toute prétension qu'elle peut avoir formée, en faveur des Guipuscoans et autres de ses Sujets, au droit de pêcher aux environs de l'Île de Terre-Neuve.

Fait à Paris, le 10 de Février, 1763.

(L.S.) BEDFORD, C.P.S.

(L.S.) CHOISEUL, DUC DE PRASLIN.

(L.S.) EL MARQUIS DE GRIMALDI

No. 161.

DEFINITIVE TREATY OF PEACE BETWEEN GREAT BRITAIN AND SPAIN.

Signed at Versailles, September 3, 1783.

ARTICLE I.

Peace and Friendship.

(Extract.)

Il y aura une Paix Chrétienne, universelle et perpétuelle, tant par mer que par terre, et une amitié sincère et constante sera rétablie entre Leurs Majestés Britannique et Catholique, et entre leurs Héritiers et Successeurs, Royaumes, Etats, Provinces, Pays, Sujets et Vassaux, de quelque qualité et condition qu'ils soient, sans exception de lieux, ni de personne: en sorte que les Hautes Parties Contractantes apporteront la plus grande attention à maintenir entre elles et leurs dits Etats et Sujets, cette amitié et correspondance réciproque, sans permettre dorénavant que de part ni d'autre, on commette aucunes sortes d'hostilités par mer ou par terre, pour quelque cause, ou sous quelque prétexte que ce puisse être; et on évitera soigneusement tout ce qui pourroit altérer à

l'avenir l'union heureusement rétablie ; s'attachant, au contraire, à se procurer réciproquement, en toute occasion, tout ce qui pourroit contribuer à leur gloire, intérêts et avantages mutuels, sans donner aucun secours ou protection, directement ou indirectement, à ceux qui voudroient porter quelque préjudice à l'une ou à l'autre des dites Hautes Parties Contractantes. Il y aura un oubli et amnistie générale de tout ce qui a pû être fait ou commis, avant ou depuis le commencement de la Guerre qui vient de finir.

ARTICLE II.

Confirmation of former Treaties.

Les Traités de Westphalie de 1648 ; ceux de Madrid de 1667 et de 1670 ; ceux de Paix et de Commerce d'Utrecht de 1713 ; celui de Bade de 1714 ; de Madrid de 1715 ; de Seville de 1729 ; le Traité Définitif d'Aix-la-Chapelle de 1748 ; le Traité de Madrid de 1750 ; et le Traité Définitif de Paris de 1763, servent de base et de fondement à la Paix, et au présent Traité ; et pour cet effet, ils sont tous renouvelés et confirmés dans la meilleure forme, ainsi que tous les Traités en général qui subsistoient entre les Hautes Parties Contractantes avant la Guerre, et nommément tous ceux qui sont spécifiés et renouvelés dans le susdit Traité Définitif de Paris, dans la meilleure forme, et comme s'ils étoient insérés ici mot à mot, en sorte qu'ils devront être observés exactement à l'avenir ; dans toute leur teneur, et religieusement exécutés, de part et d'autre, dans tous les points auxquels il n'est pas dérogé par le présent Traité de Paix.

ARTICLE VI.

Right of British Subjects to cut and carry away Logwood between Belize and Rio Hondo.—Navigation of Wallis or Belize River and Rio Hondo to be common to Two Nations.

L'intention des 2 Hautes Parties Contractantes étant de prévenir, autant qu'il est possible, tous les sujets de plainte et de mésintelligence, auxquels a précédemment donné lieu la coupe de bois de teinture, ou de campêche ; et plusieurs Etablissemens Anglois s'étant formés et répandus, sous ce prétexte, dans le Continent Espagnol ; il est expressément convenu, que les Sujets de Sa Majesté Britannique auront la faculté de couper, charger et transporter le bois de teinture, dans le District qui se trouve compris entre les Rivières Wallis ou Bellize, et Rio Hondo, en prenant le cours des dites 2 Rivières pour des limites ineffaçables ; de façon que leur navigation soit commune aux 2 Nations, à savoir : par la Rivière Wallis ou Bellize, depuis la mer, en remontant jusque vis-à-vis d'un Lac, ou Bras mort, qui s'introduit dans les terres, et forme un Isthme, ou Gorge, avec un autre pareil Bras, qui vient du côté de Rio-Nuevo, ou New River ; de façon que la ligne divisoire traversera en droiture le dit Isthme, et aboutira à un autre Lac produit par les eaux de Rio-Nuevo, ou New River, jusqu'à son courant. La dite ligne continuera par le cours de Rio-Nuevo, en

descendant jusque vis-à-vis un Ruisseau, dont la Carte marque la source, entre Rio-Nuevo et Rio Hondo, et va se décharger dans le Rio Hondo, lequel Ruisseau servira de limite aussi commune jusqu'à sa jonction avec Rio-Hondo, et delà en descendant Rio-Hondo, jusqu'à la mer, ainsi que le tout est marqué sur la Carte, dont les Plénipotentiaires des 2 Couronnes ont jugé convenable de faire usage pour fixer les points concertés, afin qu'il règne une bonne correspondance entre les 2 Nations, et que les Ouvriers, Coupeurs, et Travailleurs Anglois ne puissent outre-passer, par l'incertitude des limites. Des Commissaires respectifs détermineront les endroits convenables dans le Territoire ci-dessus désigné, pour que les Sujets de Sa Majesté Britannique, occupés à l'exploitation du bois, puissent y bâtir, sans empêchement, les maisons, et les magasins, qui seront nécessaires pour eux, pour leurs Familles, et pour leurs effets; et Sa Majesté Catholique leur assure la jouissance de tout ce qui est porté par le présent Article; bien entendu que ces Stipulations ne seront censées déroger en rien aux Droits de sa Souveraineté. Par conséquent, tous les Anglois qui pourroient se trouver dispersés partout ailleurs, soit sur le Continent Espagnol, soit sur les Iles quelconques, dépendantes du susdit Continent Espagnol, et par telle raison que ce fût, sans exception, se réuniront dans le Canton qui vient d'être circonscrit, dans le terme de 18 mois, à compter de l'échange des Ratifications; et pour cet effet, il leur sera expédié des Ordres de la part de Sa Majesté Britannique; et de celle de Sa Majesté Catholique, il sera ordonné à ses Gouverneurs d'accorder aux dits Anglois dispersés, toutes les facilités possibles pour qu'ils puissent se transférer à l'Etablissement convenu par le présent Article, ou se retirer partout où bon leur semblera. Il est aussi stipulé, que si actuellement il y avoit dans la partie désignée des Fortifications érigées précédemment, Sa Majesté Britannique les fera toutes démolir; et elle ordonnera à ses Sujets de ne point en former de nouvelles. Il sera permis aux Habitans Anglois, qui s'établiront pour la coupe du bois, d'exercer librement la Pêche pour leur subsistance, sur les Côtes du District convenu ci-dessus, ou des Iles qui se trouveront vis-à-vis du dit Canton, sans être en aucune façon inquiétés pour cela; pourvu qu'ils ne s'établissent en aucune manière sur les dites Iles.

ARTICLE IX.

Appointment of Commissioner to Settle Commercial Relations.

Aussitôt après l'échange des Ratifications, les 2 Hautes Parties Contractantes nommeront des Commissaires, pour travailler à de nouveaux arrangemens de commerce entre les 2 Nations, sur le fondement de la réciprocité, et de la convenance mutuelle; lesquels arrangemens devront être terminés et conclus dans l'espace de 2 ans, à compter du 1^{er} Janvier, 1784.

Fait à Versailles, le 3 Septembre, 1783.

(L.S.) MANCHESTER.

(L.S.) LE COMTE D'ARANDA.

BRITISH DECLARATION.

Appointment of Commissioners for Revision of Commercial Treaties.

THE new state in which Commerce may perhaps be found, in all parts of the World, will demand revisions and explanations of the subsisting Treaties; but an entire abrogation of those Treaties, in whatever period it might be, would throw Commerce into such confusion as would be of infinite prejudice to it.

In some of the Treaties of this sort, there are not only Articles which relate merely to commerce, but many others which ensure reciprocally, to the respective Subjects, privileges, facilities for conducting their affairs, personal protections, and other advantages, which are not, and which ought not to be of a changeable nature, such as the regulations relating merely to the value of goods and merchandise, variable from circumstances of every kind.

When therefore the state of the trade between the 2 Nations shall be treated upon, it is requisite to be understood, that the alterations which may be made in the subsisting Treaties are to extend only to arrangements merely commercial; and that the privileges and advantages, mutual and particular, be not only preserved on each side, but even augmented, if it can be done.

In this view, His Majesty has consented to the appointment of Commissaries, on each side, who shall treat solely upon this object.

Done at Versailles, the 3rd of September, 1783.

(L.S.) MANCHESTER.

SPANISH COUNTER-DECLARATION.

LE Roi Catholique, en proposant de nouveaux arrangemens de Commerce, n'a eu d'autre but que de rectifier, d'après les règles de la réciprocité, et d'après la convenance mutuelle, ce que les Traités de Commerce précédens peuvent renfermer de defectueux. Le Roi de la Grande Bretagne peut juger par-là, que l'intention de Sa Majesté Catholique n'est aucunement de détruire toutes les Stipulations renfermées dans les susdits Traités; elle déclare au contraire, dès à présent, qu'elle est disposée à maintenir tous les privilèges, facilités et avantages, énoncés dans les anciens Traités, en tant qu'ils seront réciproques, ou qu'ils seront remplacés par des avantages équivalens. C'est pour parvenir à ce but, désiré de part et d'autre, que des Commissaires seront nommés pour travailler sur l'état de commerce entre les 2 Nations, et qu'il a été accordé un espace de tems considérable pour achever leur travail. Sa Majesté Catholique se flatte que cet objet sera suivi avec le même bonne foi, et avec le même esprit de conciliation, qui ont présidé à la rédaction de tous les autres points renfermés dans le Traité Définitif; et Sa dite Majesté est dans la même confiance, que les Commissaires respectifs apporteront la plus grande célérité à la confection de cet important ouvrage.

Fait à Versailles, le 3 Septembre, 1783.

(L.S.) LE COMTE D'ARANDA.

No. 162.

CONVENTION BETWEEN GREAT BRITAIN AND SPAIN, RELATIVE TO
AMERICA.

Signed at London, July 14, 1786.

LES Rois d'Angleterre et d'Espagne, animés du même désir de raffermir, par tous les moyens qui sont dans leur pouvoir, l'amitié qui heureusement subsiste entre eux et leurs Royaumes; et souhaitant, d'un commun accord, de prévenir jusqu'à l'ombre de mésintelligence, qui pourroit être occasionnée par des doutes, des malentendus, ou d'autres motifs de disputes entre les Sujets des Frontières des 2 Monarchies, surtout dans des Pays éloignés comme ceux de l'Amérique, ont jugé à propos d'établir, de la meilleure foi possible, par une nouvelle Convention, les points qui pourroient un jour ou l'autre produire ces inconvéniens, selon que l'expérience des tems antérieurs l'a bien souvent démontré.

A cet effet, le Roi de la Grande Bretagne a nommé le Très Noble et Très Excellent Seigneur, François Baron Osborne de Kiveton, Marquis de Carmarthen, Conseiller Privé Actuel de Sa Majesté Britannique, et son Principal Secrétaire d'Etat, ayant le Département des Affaires Etrangères, &c., &c., &c., et le Roi Catholique pareillement a autorisé Don Bernardo del Campo, Chevalier du Noble Ordre de Charles Trois, Secrétaire du même Ordre, Secrétaire du Conseil Suprême d'Etat, et son Ministre Plénipotentiaire auprès du Roi de la Grande Bretagne: lesquels, s'étant mutuellement communiqué leurs Pleins-pouvoirs respectifs, conçus en due forme, sont convenus des Articles suivans:

ARTICLE I.

Evacuation of Mosquito Territory by British Colonists.

Les Sujets de Sa Majesté Britannique, et les autres Colons qui ont joui jusqu'à présent de la protection de l'Angleterre, évacueront les Pays des Mosquitos, aussi bien que le Continent en général, et les Iles adjacentes, sans exception, situées au dehors de la Ligne ci-après marquée, comme devant servir de Frontière à l'étendue de Territoire accordé par Sa Majesté Catholique aux Anglois, pour les usages spécifiés dans le III^{me} Article de la présente Convention, et une addition aux Pays qui leur sont déjà accordés, en vertu des Stipulations dont les Commissaires des 2 Couronnes sont convenus en 1783.

ARTICLE II.

Limits of British Settlement in Central America.

Le Roi Catholique, pour prouver, de son côté, au Roi de la Grande Bretagne, la sincérité de ses sentimens d'amitié envers Sa dite Majesté et la Nation Britannique, accordera aux Anglois des limites plus étendues que celles spécifiées dans le dernier Traité de Paix : et les dites limites du Terrain ajouté par la présente Convention seront désormais entendues de la manière suivante :

La Ligne Angloise, en commençant de la Mer, prendra le centre de la Rivière Sibun ou Jabon, par où elle continuera jusqu'à la source de la dite Rivière ; de là elle traversera, en ligne droite, la terre intermédiaire, jusqu'à ce qu'elle coupe la Rivière Wallis, et par le centre de celle-ci, la dite Ligne descendra chercher le milieu du courant, jusqu'au point où elle doit joindre la Ligne déjà établie et marquée par les Commissaires des 2 Couronnes en 1783 : lesquelles limites, suivant la continuation de la dite Ligne, seront observées comme ci-devant stipulé par le Traité Définitif.

ARTICLE III.

British Subjects to have Right of Cutting other kind of Woods besides Logwood, and including Mahogany, and of gathering all Fruit or Produce of the Earth—Sugar, Coffee, Cocoa Planting excepted.

Quoiqu'il n'ait été question jusqu'à présent d'autres avantages que de celui de la coupe de bois de teinture, cependant Sa Majesté Catholique, pour une plus grande marque de sa disposition à complaire au Roi de la Grande Bretagne, accordera aux Anglois la liberté de couper tout autre bois, sans même en excepter celui d'acajou, aussi bien que de profiter de tout fruit ou produit de la terre, purement naturel, et sans culture, qui pourroit ailleurs, étant transporté dans son état naturel, devenir un objet d'utilité ou de commerce, soit pour des provisions de bouche, soit pour des manufactures ; mais il est expressément convenu, que cette Stipulation ne doit jamais servir de prétexte pour établir dans ce Pays-là aucune culture de sucre, café, cacao, ou autres choses semblables, ni aucune fabrique ou manufacture, par le moyen des moulins ou machines quelconques, ou autrement, (cette restriction pourtant ne regarde pas l'usage des moulins-à-scie, pour la coupe ou autre travail du bois,) puisque étant incontestablement reconnu que les Terres en question appartiennent tous en propriété à la Couronne d'Espagne, des Etablissemens de cette espèce, et la population qui s'ensuivroit, ne pourroient pas avoir lieu.

British Subjects may convey their Goods down the Rio Hondo, and Wallis River.

Il sera permis aux Anglois de transporter et conduire tous ces bois et autres produits du local, dans leur état naturel et sans

culture, par la Rivière jusqu'à la Mer, sans jamais outrepasser pourtant les limites qui leur sont prescrites par les Stipulations ci-dessus accordées, et sans que cela puisse donner occasion pour monter les dites Rivières, hors de leurs bornes, dans les Contrées appartenantes à l'Espagne.

ARTICLE IV.

British Subjects may occupy St. George's Key (Cayo Casina).

Les Anglois seront permis d'occuper la petite Ile connue sous les noms de Casina, St. George's Key, ou Cayo Casina, eu égard à la circonstance que la partie des côtes vis-à-vis de cette Ile est reconnue sujette à des maladies dangereuses ; mais cette occupation ne doit être que pour les usages d'une honnête utilité : et comme on pourroit faire de cette permission un grand abus, non moins contraire aux intentions du Gouvernement Britannique, qu'aux intérêts essentiels de l'Espagne, il est stipulé ici, comme condition indispensable, qu'on n'y fera dans aucun tems la moindre Fortification, ou défense, qu'on n'y établira aucun corps de Troupes, et qu'il n'y aura même aucune pièce d'Artillerie ; et afin de vérifier de bonne foi l'accomplissement de cette condition sine quâ non (à laquelle de simples particuliers pourroient contrevenir, sans connoissance du Gouvernement Britannique) on admettra, 2 fois par an, un Officier ou Commissaire Espagnol, accompagné d'un Commissaire ou Officier Anglois, duement autorisés, pour vérifier l'état des choses.

ARTICLE V.

British Subjects may refit their Merchant-vessels between St. George's Key, and the small Islands opposite the British Settlement.

La Nation Angloise jouira de la liberté de radoubier ses Vaisseaux Marchands dans le triangle méridional compris entre le point Cayo Casina, et le groupe des petites Iles qui sont situées vis-à-vis la partie de la côte occupée par les Coupeurs, à la distance de 8 lieues de la Rivière Wallis, 7 de Cayo Casina, et 3 de la Rivière Sibun, endroit qui a toujours été reconnu comme très propre pour le dit objet. A l'effet de quoi, on pourra bâtir les édifices et magasins absolument indispensables pour ce service ; mais cette concession comprend aussi la condition expresse de ne point y élever en aucun tems des Fortifications, placer des Troupes, ou construire aucun ouvrage militaire ; et pareillement qu'il ne sera pas permis d'y fixer des Bâtimens de Guerre, ou d'y ériger un arsenal, ou autre édifice qui puisse avoir pour objet la formation d'un établissement naval.

ARTICLE VI.

Right of Fishery on Coast of British Settlement.

Il est aussi stipulé, que les Anglois pourront faire librement et tranquillement la Pêche sur la côte du Terrain qui leur fut

assigné par le dernier Traité de Paix, et de celui qu'on leur ajoute par la présente Convention; mais sans aller au delà de leurs bornes, et se limitant à la distance spécifiée dans l'Article qui précède.

ARTICLE VII.

Spanish Rights of Sovereignty over British Settlement.

Toutes les restrictions spécifiées dans le dernier Traité de 1783, pour conserver en son entier la propriété de la Souveraineté Espagnole sur le Pays, dont on n'accorde aux Anglois que la faculté de se servir des bois de différentes espèces, des fruits et d'autres productions, dans leur état naturel, sont confirmées ici; et les mêmes restrictions seront aussi observées à l'égard de la nouvelle concession. Par conséquent les Habitans de ces Pays s'emploieront simplement à la coupe et au transport des dits bois, et à la récolte et au transport des fruits, et sans songer à d'autres Etablissemens plus grands, ni à la formation d'un système de gouvernement militaire ou civil, au delà de tels réglemens que Leurs Majestés Britannique et Catholique pourront ci-après juger à propos d'établir, pour maintenir la tranquillité et le bon ordre parmi leurs Sujets respectifs.

ARTICLE VIII.

Supply of Logwood by Spanish in Case of Deficient Supply.

Comme il est généralement reconnu, que les bois ou forêts se conservent, et même se multiplient, par des coupes réglées, et exécutées avec méthode les Anglois observeront, autant qu'il sera possible, cette maxime; mais si, malgré toutes leurs précautions, il arrivoit à la suite du tems, qu'ils auroient besoin ou du bois de teinture, ou de celui d'acajou, dont les Possessions Espagnoles pourroient être pourvues, le Gouvernement Espagnol ne fera aucune difficulté d'en fournir aux Anglois, à un prix juste et raisonnable.

ARTICLE IX.

Prevention of Smuggling.

On observera toutes les précautions possibles pour empêcher la contrebande; et les Anglois auront soin de se conformer aux réglemens que le Gouvernement Espagnol jugera à propos d'établir parmi ses Sujets, dans toute communication qu'ils pourroient avoir avec ceux-ci; à condition cependant que les dits Anglois soient laissés dans la jouissance tranquille des différens avantages insérés en leur faveur dans le dernier Traité, ou stipulés par la présente Convention.

ARTICLE X.

Facilities to be accorded to Persons going to British Settlement.

Les Gouverneurs Espagnols seront ordonnés d'accorder aux dits Anglois dispersés, toutes les facilités possibles pour qu'ils puissent se transférer aux Etablissemens convenus par la présente Convention, selon les Stipulations du VI^{me} Article du Traité Définitif de 1783, à l'égard du Pays approprié à leur usage par le dit Article.

ARTICLE XI.

Evacuation of Spanish Possessions by British Subjects.

Leurs Majestés Britannique et Catholique, afin d'éviter toute espèce de doute à l'égard de la véritable construction de la présente Convention, jugent nécessaire de déclarer, que les conditions de la dite Convention devront être observés selon leur intention sincère d'assurer et d'augmenter l'harmonie et la bonne intelligence, qui subsistent si heureusement à présent entre Leurs dites Majestés.

Dans cette vûe, Sa Majesté Britannique s'engage de donner les ordres les plus positifs pour l'évacuation des Pays ci-dessus mentionnés, par tous ses Sujets de toutes dénominations quelconques. Mais si, malgré cette Déclaration, il y eût encore des Personnes assez hardies pour oser, en se retirant dans l'intérieur du Pays, tâcher de s'opposer à l'entière évacuation déjà convenue, Sa Majesté Britannique, bien loin de leur prêter le moindre secours, ou même protection, les désavouera, de la manière la plus solennelle, comme elle le fera également à l'égard de ceux qui par la suite pourront tenter de s'établir sur le Territoire appartenant à la Domination Espagnole.

ARTICLE XII.

Date of Evacuation.

L'évacuation convenue sera complètement effectuée dans l'espace de 6 mois, après l'échange des Ratifications de cette Convention, ou plutôt s'il faire se pourra.

ARTICLE XIII.

New Concessions to British Subjects to take place as soon as Evacuation has been effected.

On est convenu que les nouvelles concessions marquées dans les Articles précédens, en faveur de la Nation Angloise, devront avoir lieu aussitôt que la susdite évacuation sera vérifiée en entier.

ARTICLE XIV.

No Act of Severity to be exercised against Mosquitos after the Evacuation of their Territory by British Subjects.

Sa Majesté Catholique, ne consultant que ses sentimens d'humanité, promet au Roi d'Angleterre qu'elle n'exercera aucun acte de sévérité sur les Mosquitos, Habitans en partie les Pays qui devront être évacués, en vertu de la présente Convention, à cause des liaisons qui puissent avoir subsisté entre les dits Indiens et les Anglois ; et Sa Majesté Britannique, de son côté, défendra rigoureusement à tous ses Sujets de fournir des armes, ou munitions de Guerre, aux Indiens en général, situés sur les Frontières des Possessions Espagnoles.

ARTICLE XV.

Instructions to Subjects of each Party for Carrying out Convention to be communicated to the Government of the other.

Les 2 Cours se remettront mutuellement les Duplicata des Ordres qu'elles doivent expédier à leurs Gouverneurs et Commandans respectifs en Amérique, pour l'accomplissement de la présente Convention ; et l'on destinera, de chaque côté, une Frégate, ou Bâtiment de Guerre convenable, pour veiller ensemble, et de commun accord, à ce que les choses s'exécutent avec le meilleur ordre possible, et avec cette cordialité et bonne foi dont les 2 Souverains ont bien voulu donner l'exemple.

ARTICLE XVI.

Ratifications.

La présente Convention sera ratifiée par Leurs Majestés Britannique et Catholique, et les Ratifications échangées, dans l'espace de 6 semaines, ou plutôt s'il faire se peut.

En foi de quoi, nous Soussignés Ministres Plénipotentiaires de Leurs Majestés Britannique et Catholique, en vertu de nos Pleins-pouvoirs respectifs, avons signé la présente Convention, et y avons fait apposer les Cachets de nos Armes.

Fait à Londres, ce 14 jour de Juillet, 1786.

(L.S.) CARMARTHEN.

(L.S.) LE CHEVR. DEL CAMPO.

DECLARATION.

Visit of Commissioners mentioned in Article VI to be extended to all Places where the British Cutters are situated.

Au moment d'échanger les Ratifications de nos Souverains, de la Convention signée le 14 Juillet dernier, nous les Soussignés Ministres Plénipotentiaires sommes convenus, que la visite des Commissionnaires Anglois et Espagnols, dont fait mention l'Article IV de la dite Convention, par rapport à l'Ile Cayo Casina, doit s'étendre pareillement à tous les autres Endroits, soit dans les Iles, ou sur le Continent, où les Coupeurs Anglois seront situés. En foi de quoi, nous avons signé cette Declaration, et y avons apposé les Cachets de nos Armes.

A Londres, ce 1^{er} Septembre, 1786.

(L.S.) CARMARTHEN.

(L.S.) LE MARQUIS DEL CAMPO.

No. 163.

CONVENTION BETWEEN GREAT BRITAIN AND SPAIN RELATIVE TO AMERICA.

Signed at the Escorial, October 28, 1790.

Leurs Majestés Britannique et Catholique, étant disposées à terminer, par un accord prompt et solide, les différends qui se sont élevés en dernier lieu entre les 2 Couronnes, elles ont trouvé que le meilleur moyen de parvenir à ce but salutaire seroit celui d'une transaction à l'amiable, laquelle, en laissant de côté toute discussion rétrospective des droits et des prétensions des 2 Parties, réglât leur position respective à l'avenir sur des bases qui seroient conformes à leurs vrais intérêts, ainsi qu'au désir mutuel dont Leurs dites Majestés sont animées, d'établir entre elles, en tout et en tous lieux, la plus parfaite amitié, harmonie et bonne correspondance.

Dans cette vûe, elles ont nommé et constitué pour leurs Plénipotentiaires; savoir, de la part de Sa Majesté Britannique, le Sieur Alleyne FitzHerbert, du Conseil Privé de Sa dite Majesté dans la Grande Bretagne et en Irlande, et son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté Catholique; et de la part de Sa Majesté Catholique, Don Joseph Monino, Comte

de Florida-blanca, Chevalier Grand Croix du Royal Ordre Espagnol de Charles III, Conseiller d'Etat de Sa dite Majesté, et son Premier Secrétaire d'Etat et del Despacho; lesquels, après s'être communiqué leurs Pleinspouvoirs respectifs, sont convenus des Articles suivans :

ARTICLE I.

Restoration to British Subjects of Buildings and Lands on the N.W. Coast of N. America of which they were dispossessed by Spanish in 1789.

Il est convenu que les Bâtimens et les Districts de Terrain, situés sur la Côte du Nord-ouest du Continent de l'Amérique Septentrionale, ou bien sur des Iles adjacentes à ce Continent, desquels les Sujets de Sa Majesté Britannique ont été dépossédés, vers le mois d'Avril, 1789, par un Officier Espagnol, seront restitués aux dits Sujets Britanniques.

ARTICLE II.

Compensation to be given for Acts of Violence committed after April, 1789, by Subjects of either Country.

De plus, une juste réparation sera faite, selon la nature du cas, pour tout acte de violence ou d'hostilité qui aura pû avoir été commis, depuis le dit mois d'Avril, 1789, par les Sujets de l'une des 2 Parties Contractantes contre les Sujets de l'autre; et au cas que depuis la dite époque, quelques uns des Sujets respectifs aient été forcément dépossédés de leurs Terrains, Bâtimens, Vaisseaux, marchandises, ou autres objets de propriété quelconques, sur le dit Continent, ou sur les Mers ou Iles adjacentes, ils en seront remis en possession, ou une juste compensation leur sera faite pour les pertes qu'ils auront essayées.

ARTICLE III.

Subjects of either Party not to be molested in their Fisheries or Navigation of the Pacific and South Seas, or in landing on the Coasts of those Seas for carrying on Commerce with Natives.

Et, afin de resserrer les liens de l'amitié, et de conserver à l'avenir une parfaite harmonie et bonne intelligence entre les 2 Parties Contractantes, il est convenu que les Sujets Respectifs ne seront point troublés ni molestés, soit en naviguant ou en exerçant leur Pêche dans l'Océan Pacifique, ou dans les Mers de Sud, soit en débarquant sur les Côtes qui bordent ces Mers, dans des endroits non déjà occupés, afin d'y exercer leur commerce avec les Naturels du Pays, ou pour y former des Etablissemens. Le tout sujet néanmoins aux restrictions et aux provisions qui seront spécifiées dans les 3 Articles suivans.

ARTICLE IV.

Navigation by British Subjects of Pacific and South Seas not to be made a Pretext for Illicit Trade with Spanish Settlements.—British Subjects not to fish within 10 Leagues of Coasts occupied by Spain.

Sa Majesté Britannique s'engage d'employer les mesures les plus efficaces pour que la Navigation et la Pêche de ses Sujets dans l'Océan Pacifique, ou dans les Mers du Sud, ne deviennent point le prétexte d'un commerce illicite avec les Etablissements Espagnols ; et, dans cette vûe, il est en outre expressément stipulé, que les Sujets Britanniques ne navigueront point, et n'exerceront pas leur Pêche dans les dites Mers, à la distance de 10 lieues maritimes d'aucune partie des Côtes déjà occupées par l'Espagne.

ARTICLE V.

Free Access of Subjects of each State to the Settlements of the Other in America.

Il est convenu, que tant dans les endroits qui seront restitués aux Sujets Britanniques, en vertu de l'Article I, que dans toutes les autres parties de la Côte du Nord-ouest de l'Amérique Septentrionale, ou des Iles adjacentes, situées au Nord des parties de la dite Côte déjà occupées par l'Espagne, partout où les Sujets de l'une des 2 Puissances auront formé des Etablissements, depuis le mois d'Avril, 1789, ou en formeront par la suite, les Sujets de l'autre auront un accès libre, et exerceront leur commerce, sans trouble ni molestation.

ARTICLE VI.

No Settlements to be made on Islands adjacent to the Eastern or Western Coasts of S. America South of the Portions already occupied by Spain, but Landing may be effected for Fishery purposes.

Il est encore convenu, par rapport aux Côtes tant Orientales qu'Occidentales de l'Amérique Méridionale, et aux Iles adjacentes, que les Sujets respectifs ne formeront à l'avenir aucun Etablissement sur les parties de ces Côtes situées au Sud des parties de ces mêmes Côtes, et des Iles adjacentes, déjà occupées par l'Espagne ; bien entendu que les dits Sujets respectifs conserveront la faculté de débarquer sur les Côtes et Iles ainsi situées, pour les objets de leur Pêche, et d'y bâtir des cabanes, et autres ouvrages temporaires, servant seulement à ces objets.

ARTICLE VII.

Procedure in Case of Infraction of the Convention

Dans tous les cas de plainte, ou d'infraction des Articles de la présente Convention, les Officiers de part et d'autre, sans se per-

mettre au préalable aucune violence ou voie de fait, seront tenus de faire un rapport exact de l'affaire, et de ses circonstances, à leurs Cours respectives, qui termineront à l'amiable ces différends.

ARTICLE VIII.

Ratifications.

La présente Convention sera ratifiée et confirmée dans l'espace de 6 semaines, à compter du jour de sa signature, ou plutôt si faire se peut.

En foi de quoi, nous Soussignés Plénipotentiaires de Leurs Majestés Britannique et Catholique, avons signés, en leurs noms, et en vertu de nos Pleinspouvoirs respectifs, la présente Convention, et y avons apposé les Cachets de nos Armes.

Fait à San Lorenzo el Real, le 28 Octobre, 1790.

(L.S.) ALLEYNE FITZHERBERT.

(L.S.) EL CONDE DE FLORIDABLANCA.

No. 164.

TREATY OF FRIENDSHIP AND ALLIANCE BETWEEN GREAT BRITAIN AND SPAIN.

*Signed at Madrid, July 5, 1814.**

In the Name of the Most Holy Trinity.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and His Catholic Majesty, being equally animated by a desire to strengthen and perpetuate the union and alliance which have been the principal means of re-establishing the balance of power in Europe, and of restoring peace to the world, have constituted and appointed, that is to say; His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Henry Wellesley, one of His Majesty's Most Honourable Privy Council, Knight Companion of the Most Honourable Order of the Bath, and His Majesty's Ambassador Extraordinary and Plenipotentiary to His Catholic Majesty; and His Catholic Majesty, Don Josef Miguel de Carbajal y Vargas, Duke of San Carlos, Count of Castillejo and of Puerto, Grandee of Spain of the First Class, Knight of the Most Illustrious Order of the Golden

* Signed also in Spanish.

Fleece, Grand Cross of the Royal and distinguished Order of Charles III. Commander of Esparagoza de Lares in the Order of Alcantara, Chief Majordomo of the King, and Gentleman of His Chamber, Lieutenant-General in the Royal Army, Counsellor of State, and First Secretary of State and of general Dispatch; who after having exchanged their respective full powers, and finding them in good and due form, have agreed to and concluded the following Articles:

ARTICLE I.

Alliance.

There shall be in future a strict and intimate alliance between His Majesty the King of the United Kingdom of Great Britain and Ireland and His Catholic Majesty, their heirs and successors; and in consequence of this intimate union, the High Contracting Parties shall endeavour to forward, by all possible means, their respective interests.

His Britannic Majesty and His Catholic Majesty declare, however, that in drawing closer the ties so happily subsisting between them, their object is by no means to injure any other State.

ARTICLE II.

Present Alliance not to derogate from Treaties and Alliances with other Powers.

The present alliance shall in no way derogate from the treaties and alliances which the High Contracting Parties may have with other powers, it being understood that the said treaties are not contrary to the friendship and good understanding, which it is the object of the present Treaty to cement and perpetuate.

ARTICLE III.

Proposed negotiation of a Commercial Treaty.

It having been agreed by the Treaty signed at London on the 14th day of January, 1809, to proceed to the negotiation of a Treaty of Commerce between Great Britain and Spain, as soon as it should be practicable so to do, and the two High Contracting Parties desiring mutually to protect and extend the commerce between their respective subjects, promise to proceed without delay to the formation of a definitive arrangement of commerce.

ARTICLE IV.

Commerce of Spanish-American Possessions open to Foreign Nations.—Most-favoured-nation Treatment.

In the event of the Commerce of the Spanish American possessions being opened to Foreign Nations, His Catholic Majesty

promises that Great Britain shall be admitted to trade with those possessions as the most favoured Nation.

ARTICLE V.

Ratifications.

The present Treaty shall be ratified, and the ratifications shall be exchanged within forty days, or sooner if possible.

In witness whereof we the undersigned Plenipotentiaries have signed, in virtue of our respective full powers, the present Treaty of Friendship and Alliance, and have sealed it with the seals of our arms.

Done in Madrid, this fifth day of July one thousand eight hundred and fourteen.

(L.S.) H. WELLESLEY.

(L.S.) MIGUEL, Duque de San Carlos.

No. 165.

THREE ADDITIONAL ARTICLES TO THE TREATY OF FRIENDSHIP AND ALLIANCE BETWEEN GREAT BRITAIN AND SPAIN OF JULY 5, 1814.

Signed at Madrid, August 28, 1814.

ARTICLE I.

Confirmation of Anglo-Spanish Commercial Treaties existing in 1796.

It is agreed that, pending the negotiation of a new Treaty of Commerce, Great Britain shall be admitted to trade with Spain upon the same conditions as those which existed previously to the year 1796. All the treaties of Commerce which at that period subsisted between the two nations, being hereby ratified and confirmed.

ARTICLE II.

Slave Trade.

His Catholic Majesty, concurring in the fullest manner in the sentiments of His Britannic Majesty with respect to the injustice and inhumanity of the traffic in slaves, will take into consideration, with the deliberation which the state of his possessions in America demands, the means of acting in conformity with those sentiments.

His Catholic Majesty promises, moreover, to prohibit His subjects from engaging in the slave trade, for the purpose of supplying any islands or possessions excepting those appertaining to Spain, and to prevent likewise, by effectual measures and regulations, the protection of the Spanish flag being given to foreigners who may engage in this traffic, whether subjects of His Britannic Majesty or of any other State or Power.

ARTICLE III.

Great Britain to take Measures to prevent Export of Arms, &c., to Spanish Rebels in America.

His Britannic Majesty being anxious that the troubles and disturbances which unfortunately prevail in the dominions of His Catholic Majesty in America should entirely cease, and the subjects of those provinces should return to their obedience to their lawful Sovereign, engages to take the most effectual measures for preventing his subjects from furnishing arms, ammunition, or any other warlike article to the revolted in America.

The present additional Articles shall form an integral part of the Treaty of Friendship and Alliance signed on the 5th day of July, and shall have the same force and validity as if they were inserted word for word, and shall be ratified within forty days, or sooner, if possible.

In witness whereof, we the undersigned Plenipotentiaries, in virtue of our respective full powers, have signed the present additional Articles, and have sealed them with the seals of our arms.

Done at Madrid this twenty-eighth day of August one thousand eight hundred and fourteen.

(L.S.) H. WELLESLEY.

(L.S.) MIGUEL, Duque de San Carlos.

No. 166.

DECLARATION BETWEEN GREAT BRITAIN AND SPAIN FOR THE
PROTECTION OF TRADE-MARKS.

*Signed at London, December 14, 1875.**

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Spain, with a view to the reciprocal

* Signed also in Spanish.

protection of the marks of manufacture and trade in the two countries, have agreed as follows:—

The subjects of each of the Contracting Parties shall have in the dominions and possessions of the other, the same rights as belong to native subjects in everything relating to property in manufacturing or trade marks, industrial designs or patterns, or manufactures of any kind.

It is understood that any person who desires to obtain the aforesaid protection must fulfil the formalities required by the laws of the respective countries.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto the seal of their arms.

Done at London, the fourteenth day of December, 1875.

(L.S.) DERBY.

(L.S.) MARQUES DE CASA LAIGLESIA.

No. 167.

DECLARATION EXCHANGED BETWEEN THE BRITISH AND SPANISH
GOVERNMENTS RELATIVE TO JOINT STOCK COMPANIES.

*Signed at Madrid, January 29, 1883.**

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Spain, with a view to the reciprocal regulation in the two countries of the position of Joint Stock Companies and other commercial, industrial, and financial Associations, have agreed to the following Declaration:—

Joint Stock Companies and other Associations, commercial, industrial, and financial, constituted in conformity with the laws in force in either of the two Contracting States, may exercise in the dominions of the other all their rights, including that of appearing before Tribunals for the purpose of bringing an action or of defending themselves, with the sole condition, in exercising such rights, of always conforming themselves to the laws and customs in force in the said dominions.

It is understood that these dispositions shall be applicable as well to the Companies and Associations constituted and authorized previously to the signature of this Declaration as to those which may subsequently be so constituted and authorized.

* Signed also in Spanish.

The present Declaration shall come into force on the eighth day after the signature. It shall remain in force until one of the Contracting Parties shall announce to the other, one year in advance, its intention to terminate it. Such modifications may, however, by common consent, be introduced into it as experience may show to be desirable.

In witness whereof the Undersigned, duly authorized for this purpose, have signed the present Declaration, and have affixed thereto the seal of their arms.

Done in duplicate at Madrid, the twenty-ninth of January, eighteen hundred and eighty-three.

(L.S.) R. B. D. MORIER.

(L.S.) EL MARQUES DE LA VEGA DE ARMIJO.

No. 168.

EXCHANGE OF NOTES RESPECTING THE COMMERCIAL RELATIONS
BETWEEN GREAT BRITAIN AND SPAIN.

June $\frac{20}{9}$, 1894.

Sir H. Drummond Wolff to Señor Moret.

M. le Ministre,

Madrid, June 20, 1894.

THE negotiations for a Commercial Treaty have now reached a stage where, before further progress can be made, they must be submitted to the consideration of Her Majesty's Government.

There are some points still only partially discussed, and on these important questions of detail will have to be carefully elaborated and worked out, the more so as some of them are without precedent in any of the Treaties negotiated by Spain with other countries. It is proposed, therefore, that the two British Delegates should at once proceed to London to render an account of the work already achieved, and it is believed that a suspension of the discussions until a later period of the year will also prove acceptable to the negotiators on behalf of the Spanish Government.

Under these circumstances, and pending the negotiations, goods arriving from Spain and her Colonies will continue to receive the most-favoured-nation treatment in the custom-houses of Great Britain, her Colonies, and foreign possessions. Her Majesty's Government understand that until the discussions are terminated by the conclusion of a permanent Treaty, or a rupture of negotiations, goods arriving from Great Britain, her Colonies, and foreign possessions, will be guaranteed against differential treatment in the custom-houses of Spain, her Colonies, and foreign possessions.

It is further agreed that it shall be open to any British Colony to withdraw from the present Agreement on notice to this effect being given by Her Majesty's Ambassador at Madrid to the Spanish Minister for Foreign Affairs within six months after the date of its signature.

I avail, &c.,
(Signed) H. DRUMMOND WOLFF.

Señor Moret to Sir H. Drummond Wolff.

(Translation.)

Sir,

Ministry of State, the Palace, June 29, 1894.

IN reply to your Excellency's note of the 20th instant, I have the honour to inform you that the Government of Her Majesty sees no objection to the negotiations for the conclusion of a Commercial Treaty being referred to Her Britannic Majesty's Government.

The nature of some of the demands preferred by the Spanish Delegates, and the necessity for a careful study of every detail, shows the advisability of not arriving at a final decision, although they should be submitted by both Governments to a careful examination, which is all the more necessary because for some of them there is no precedent in Treaties already negotiated. The Government of His Majesty is confident that the immediate result of this reference will be to place the English Delegates in a position to satisfy the Spanish requirements, and they in any case hope that the interval asked for them may be of short duration, so that at the next meeting of Parliament a Treaty already concluded may be presented to it.

Meanwhile, as the *modus vivendi* concluded on the 18th July, 1893, terminates on the 1st July next, in order that the commercial relations between Spain and England may not be in any way disturbed pending the conclusion of a definitive Treaty or the rupture of negotiations, it is understood that the produce of Spanish soil and industry, as well as that of Spanish colonial possessions, will continue to receive most-favoured-nation treatment in the custom-houses of Great Britain and her colonial and foreign possessions.

On the other hand, the produce of the British soil and industry, as also that of her colonial and foreign possessions, will remain subject to the Second Column of the existing Tariff, there being also granted to them in addition, the Tariff advantages contained in the existing Treaties with European States, or those which may hereafter come into operation in accordance with the terms of a Bill which is now being laid before the Congress.

The arrangements made with regard to Portugal are naturally excluded, as I have frequently had the honour to point out to your Excellency.

With regard to British products imported into the Spanish foreign and colonial possessions, Spain also secures for them the enjoyment of the minimum duties of the Special Tariff, reserving the right to negotiate by special Conventions with those provinces and possessions, the advantages which may result from the conclusion of Conventions with other countries.

It remains, furthermore, understood that any British Colony may retire from the present arrangement on six months' notice being given by the English Ambassador at Madrid.

I avail, &c.

(Signed) MORET.

No. 169.

EXCHANGE OF NOTES RESPECTING THE COMMERCIAL RELATIONS BETWEEN GREAT BRITAIN AND SPAIN.

December $\frac{28}{29}$, 1894.

Sir H. Drummond Wolff to Señor Groizard.

M. le Ministre,

Madrid, December 28, 1894.

CIRCUMSTANCES having impeded the further negotiations for a definite Commercial Treaty, the Government of Her Majesty, my august Sovereign, are prepared to record in a most formal manner the understanding now existing* between the United Kingdom and Spain for the regulation of their mutual commercial relations. They understand that this course will for many reasons be convenient to the Government of His Catholic Majesty.

It is therefore understood between the two Governments that they maintain the Agreement entered into between them in the month of June last, by the note addressed by me to your Excellency's predecessor on the 20th June, 1894, and the note I had the honour to receive from Señor Moret under date of the 29th of the same month. Such Agreement shall remain in force until a permanent Treaty be concluded, or unless it be terminated by one of the Parties, who shall with this object give the other a notice of six months.

As before, it is agreed that it shall be open to any British Colony to withdraw from the present Agreement, on notice to that effect being given by Her Majesty's Ambassador at Madrid to the Spanish Minister for Foreign Affairs within six months after the date of its signature.

I avail, &c.

(Signed) H. DRUMMOND WOLFF.

* See p. 876.

Señor Groizard to Sir H. Drummond Wolff.

(Translation.)

M. l'Ambassadeur,

Ministry of State,

The Palace, December 29, 1894.

I HAVE had the honour to receive the note which your Excellency communicated to me on the 28th instant, to the effect that circumstances having impeded the continuation of the negotiations for a definitive Treaty of Commerce between Spain and the United Kingdom, the Government of Her Britannic Majesty is prepared to record, in a more formal manner, the understanding now existing for the regulation of their commercial relations.

The Government of His Catholic Majesty, who believe that this understanding will be, for various reasons, equally convenient to that of Her Britannic Majesty, consider that the Agreement entered into by exchange of notes under date of the 20th and 29th June last, between your Excellency and my predecessor, Señor Moret, is maintained until the conclusion of a definitive Treaty, unless it be terminated by one of the High Contracting Parties, who, with this object, give to the other a notice of six months.

As before, it is agreed that it shall be open to any British Colony to withdraw from the present Agreement on notice to that effect being given by the Ambassador at Madrid to the Spanish Minister for Foreign Affairs within six months after the date of its signature.

I avail, &c.

(Signed) ALEJANDRO GROIZARD.

SWEDEN.

No. 170.

TREATY OF PEACE AND COMMERCE BETWEEN GREAT BRITAIN AND
SWEDEN.*Signed at Upsal, April 11, 1654.*

(Translation.)

ARTICLE I.

Peace, Friendship, and Alliance.

THAT from henceforth there be and remain a good, firm, sincere, and perpetual Peace, Amity, Alliance, and Correspondence between the Protector and Commonwealth of England, Scotland, and Ireland, and the Queen and Kingdom of Sweden, and all and singular their Dominions, Kingdoms, Countries, Provinces, Islands, Plantations, Lands, Cities, Towns, People, Citizens, and generally all their Subjects and Inhabitants, so that each part treat and use the other with all real friendship and affection.

ARTICLE II.

Friendly Relations.—Each Country to warn the other against Conspiracies, &c., Non-assistance by either of Enemies of the other.

The said Confederates, their People, Subjects, and Inhabitants, shall, as opportunity is offered, take care of and promote the welfare of each other; and shall advertise each other, upon knowledge thereof, of all imminent dangers, plots, and conspiracies of Enemies against the other; and, as much as in them lies, oppose and hinder the same. Neither shall the one Confederate, either by himself, or any else, treat of, act, or attempt anything to the prejudice and disadvantage of the other, his Lands, or Dominions, in whatsoever place, whether at sea or land; nor shall any way assist the Rebels or Enemies of the other, to the damage of the Confederate, nor receive or entertain within his Dominions any Rebel or Traitor who shall attempt anything against the other's

State, much less afford them any counsel, help, or favour, or permit it to be done by any of his Subjects, People, and Inhabitants

ARTICLE III.

Freedom of Commerce and Navigation.

The said Protector and Commonwealth, and the said Queen and Kingdom, shall take diligent care, that, as much as in them lies, all impediments and obstacles be removed, which have hitherto interrupted the freedom of navigation, and commerce, as well between both Nations, as with other People and Countries within the Dominions, Lands, Seas, and Rivers of either, and shall sincerely endeavour to assert, maintain, defend, and promote the aforesaid liberty of navigation and commerce, against all the Disturbers thereof, by such ways and means as either in this present Treaty or hereafter shall be agreed upon; neither shall they suffer, that either by themselves, their Subjects and People, or through their default, anything be done or committed contrary hereunto.

ARTICLE IV.

Freedom of Travel and Trade.—Most-favoured-nation Treatment.

That either of the aforesaid Confederates, their People and Subjects, may, without any Safe Conduct, Licence, general or special, freely and securely go and enter by land or sea, in and to the Kingdoms, Countries, Provinces, Lands, Islands, Cities, Villages, Towns, whether walled or unwalled, fortified, or otherwise, Havens, and whatsoever Dominions of the other, and there stay and from thence return or pass through; and in the same places, upon just prices to procure, and have provision of victuals, for their use and sustenance, and to be used with all friendly offices; and that either Confederate, their People and Subjects, may trade and have commerce in all places where commerce hath hitherto been exercised, in what goods and merchandises they please, and may freely import and export the same, paying the Customs which are due; and conforming themselves to the Laws and Ordinances of the said Commonwealth and Kingdom, whether the same respect trade or any other right; which presupposed, the People, Subjects, and Inhabitants of both Confederates, shall have and enjoy in each other's Kingdoms, Countries, Lands, and Dominions, as large and ample privileges, relaxations, liberties, and immunities, as any other Foreigner at present doth or hereafter shall enjoy there.

ARTICLE V.

Immunity of Persons, Vessels, and Goods.

No Merchants, Captains, and Masters of Ships, Mariners, nor any Persons, Ships, goods, or merchandise, belonging to either

Confederate, shall upon any public or private account, by virtue of any Edict general or special, within any the Lands, Havens, Sea-roads, Coasts, or Dominions of the other, for any public service or expedition of War, or any other cause, much less for any private use, be seized, embarked, arrested, forced by violence or be any way molested or injured: Provided only such arrests, as are conformable to justice and equity, be not hereby prohibited, so be it they are made according to the ordinary course of Law, and not granted upon private affection or partiality, but are requisite for the administration of right and justice.

ARTICLE VI.

Vessels in Distress.

In case any of the Ships of either Confederate whether of War or Merchants, belonging to the Subjects and People of either, be, by occasion of tempests, pursuit of Pirates and Enemies, or any other urgent necessity, constrained to put into each other's Havens, Roads, or Shores, they shall be received there with all kindness and humanity, and enjoy all friendly protection, and be permitted to refresh themselves and procure, at a reasonable price, all things needful for their sustenance, reparation, or use; neither shall they be hindered from going out of the said Ports or Roads, at their pleasure, without paying any Customs or Duties: Provided they do nothing contrary to the Laws, Ordinances, and Customs of the place, which the said Ships shall enter into or abide in.

ARTICLE VII.

Wrecks.

In like manner, if any Ship or Ships, whether public or private, belonging to either Confederate, their People and Subjects, shall, within any the Coasts or Dominions of the other, stick upon the sands, or be forced to lighten their burden, or be wrecked or suffer any damage, all friendly help and relief shall be given them upon a competent reward. And whatever shall be remaining of the goods thrown overboard or after shipwreck, or any other damage sustained, shall be kept in safe custody, and restored to the Owner, or whom the said Owner shall appoint.

ARTICLE VIII.

Recovery of Debts.—Administration of Justice.—Protection of Persons.

In case the People and Subjects on either part, whether they be Merchants, Factors, or Servants, Masters of Ships, Mariners, or such others, who travel and inhabit within the Dominions of the other, or those who act on their behalf before any Court

of Judicature for the recovery of their debts, or for other lawful occasions, shall stand in need of the Magistrate's help, the same shall be readily, and according to the equity of their cause, in friendly manner granted them, and justice shall be administered to them without long and unnecessary delays. Neither shall they be any way molested upon any pretence in the dispatch of their affairs, in their journeying, bargaining, and receiving the price of their commodities, but that all love and friendship be extended towards them. And it shall be free for them, on both sides, in their passage to and again, in each other's Coasts, Ships, Havens, and public places, to wear about them arms for their proper defence, so be it they give no just suspicion to the Governor or Magistrate of the place of any design against the public or private Peace. But he especially who behaves and demeans himself soberly and inoffensively, shall be protected from all injury, violence, and molestation.

ARTICLE IX.

Trade in Munitions of War.—Access of War-ships to Ports.

The said Confederates, and all and singular their People an Subjects, may buy and export out of all the Countries, Dominions and Kingdoms of the other, all kind of armour and provision of War, and may safely and freely put in with their Ships, and arrive at each other's Ports, Havens, and Shores, and there stay, and thence depart, they carrying themselves peaceably and comfortably to the Laws and Customs of the respective places, and not disturbing the freedom of commerce therein. In like manner, the Ships of War shall have free access to the Ports of either, there to stay, and come to anchor; but not in such numbers as shall occasion manifest suspicion, without the leave and consent of that Confederate first obtained to whom the Port belongs, unless compelled thereto by tempest, force, or danger of the Sea, in which case they shall signify to the Governor or Chief Magistrate of th place, the cause of their arrival, and shall continue there no longer than the said Governor or Chief Magistrate shall permit. Observing always and everywhere the Laws aforesaid, and such as shall hereafter be agreed upon.

ARTICLE X.

Freedom of Commerce and Travel.

The Subjects and Inhabitants of the Queen and Kingdom of Sweden, may safely and freely travel in England, Scotland, and Ireland, and the Dominions thereof, and pass through the same by sea or land, to any other Nations, freely to traffic and have commerce with them in all sorts of merchandise, and to import and export the same. And the People of the said Commonwealth shall enjoy the same freedom in the Kingdoms, Dominions, and

Territories of the Queen and Kingdom of Sweden: Provided the Laws, Ordinances, and particular rights of each Nation concerning trade and commerce be observed on both sides.

ARTICLE XI.

Either Country may trade with Enemies of the other, except in Contraband of War.

Although in the preceding Articles of this present Treaty, it be forbid to either Confederate, to yield any aid or assistance to the Enemies of the other: yet it is not to be so understood as if either Confederate, having no War with the Enemies of the other, might not sail to, or traffic with, the said Enemies, notwithstanding that the other Confederate be in actual War with them; but it is only provided, that till a more particular agreement be made concerning this matter, no goods called goods of *Contrabanda*, a catalogue and specification of which shall be made within 4 months after the date hereof, shall be carried to the Enemies of each other, without peril, in case they be taken, of being adjudged lawful Prize without hope of restitution,

ARTICLE XII.

Passports.

But lest such navigation and intercourse of the one Confederate, his People and Subjects, by land or sea, with other Nations, during the War of the other Confederate, should redound to the prejudice of the said other Confederate; and lest goods of Enemies should pass concealed under the name of Friends; for the removal of all suspicion and prevention of fraud herein, it is agreed that all Ships, waggons, wares, and Men, belonging to either Confederate, shall in their passage have Letters of safe conduct, commonly called Passports, and Certificates signed by the Governor or Chief Magistrate of the Province or City from whence they come; of which Letters and Certificates such forms shall be observed as shall be mutually concluded upon, within the space of 4 months, next after the date hereof: and wheresoever any the merchandise, goods, Vessels, or Men belonging to either, their People and Subjects, shall be met with either in open Sea or in any Channel, Haven, Road, Land, or any other place by the Ships of War, public or private, or by any of the People, Subjects, and Inhabitants of the other, or shall happen to be in one place with them, they producing their Letters of safe-conduct, and Certificates aforesaid, shall have nothing farther exacted of them; no search made either of goods, Vessels, or Men, much less shall they receive any damage, injury, or molestation; but shall be suffered to pass on with freedom to pursue their occasions. And if any of the People and Subjects of either shall do or commit anything contrary to the proper sense of this present Article, either Confederate shall

take care that severe punishment be inflicted on the Offenders, and cause full and speedy satisfaction to be made to the Parties wronged, for all costs and damages.

ARTICLE XIII.

Infraction of the Treaty by Private Individuals.

In case it shall hereafter happen, that during this Amity and Confederation any of the People or Subjects of either shall act or attempt anything against the same or any part thereof, either by land, sea, or other waters, this Amity, Confederation, and Alliance, shall not be thereupon interrupted or broken off, but shall remain and continue still in force and virtue; only in such case, the particular Persons who have offended shall be punished, and no others; and that justice shall be done, and satisfaction made to all Persons injured within 12 months after demand thereof; and in case the Persons so offending as aforesaid shall not appear and submit themselves to justice, and make satisfaction within the said term, the said Persons shall be declared Enemies to both States, and their estates, goods, and effects whatsoever, shall be confiscated and employed to a due and full satisfaction for the wrong by them done; and their persons shall be liable to further punishment when they shall come within the power of either State, as the quality of their offence shall deserve, and that speedy restitution and satisfaction be made for the loss and damage which either part hath sustained from the other, during the War betwixt England and the United Provinces.

ARTICLE XIV.

Territorial Waters.

This present Treaty and Confederation shall in nothing derogate from any pre-eminence, right, or dominion of either Confederate within any his own seas, channels, or waters; but that they have and retain the same, in as full and ample manner as they have hitherto had, or as of right belongs to them.

ARTICLE XV.

Freedom of Commerce and Navigation.—No Treaty to be made with other Countries Prejudicial to this Treaty.

It being the primary intent of this League and Amity that each Confederate, their People and Subjects, might enjoy such freedom of navigation and commerce, as is described in the foregoing Articles, within the Baltic, Sound, Northern, Western, and British Seas, Mediterranean, and Channel, and other the Seas in Europe; therefore all sincere endeavour shall be used on both sides by common advice, aid, and assistance, that the aforesaid

mutual liberty of navigation and commerce be established, promoted, and, as occasion is, defended, against all the Disturbers thereof, who shall go about to interrupt, prohibit, hinder, or restrain and limit the same to their own will and pleasure, in prejudice of the said Confederates. And either part shall, with all willingness or readiness, promote the good and prevent the hurt of each other; saving the Treaties which either Nation hath made with other Kingdoms, Commonwealths and Nations. And neither Confederate shall hereafter make any League or Agreement in prejudice of this Present, with any other People or Nation, without the privity and consent of the other; or if any such Agreement be hereafter made, the same shall be reputed null and void, and give place to this present Treaty. But as for the manner of giving aid and assistance to each other for the defence of this League, and of the liberty of commerce and navigation, a more particular Agreement, as need shall require, shall be made thereupon, accommodated to the circumstances of time and other affairs.

ARTICLE XVI.

Regulation of War-ships in Harbours.—Commerce in America and Fisheries to be dealt with in a Separate Treaty.

For what concerns other commodities, which Ships of War may enjoy, and the Laws by which they shall regulate themselves when they arrive in each other's Ports and Harbours; and for what concerns commerce to be exercised in America, as also the advantages of the herring and other Fisheries, the erecting staples for trade, and other things and conditions, which shall be found requisite for the better clearing of the foregoing Articles, resolution shall be had therein according to what shall be agreed upon in a distinct and peculiar Treaty or Contract.

ARTICLE XVII.

Ratifications.

Whatever is agreed on in the foregoing Articles shall be in force and virtue from this present time, and be truly observed on both sides by all such as are within each other's allegiance. And for the further confirmation thereof, shall be subscribed, signed and ratified by the Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, in the name of His Highness, and the said Commonwealth, and by Her Majesty of Sweden, under the Hand-writing and Seals of Their said Highness and Majesty within 4 months next ensuing the date of these Presents.

Done at Upsal, the 11th of April, 1654.

No. 171.

TREATY OF COMMERCE BETWEEN GREAT BRITAIN AND SWEDEN.

Done at Westminster, July 17, 1656.

(Extract.)
(Translation.)

ARTICLE II.

Definition of Contraband of War.

Whereas in the XIth Article of the Treaty lately made at Upsal, in 1654, betwixt England and Sweden, it was agreed and specified what goods and merchandise should hereafter be declared Contraband and prohibited, it is now by virtue of the said Article established, that only those hereafter mentioned shall be reckoned prohibited, and, consequently, not to be disposed of to the Enemies of either: viz., bombs with their fuses and other appurtenances, fire-balls, gunpowder, matches, cannon-ball, spears, swords, lances, pikes, halberts, guns, mortars, petards, granadoes, musket-rests, bandaliers, salt-petre, muskets, musket-balls, helmets, head-pieces, breast-plates, coats of mail, cuirasses, and the like kind of arms; Soldiers, horses, with all their furniture, pistols, holsters, belts, and all other warlike instruments; and also Ships of War. Money shall also be reckoned among the goods with which the Enemies are not to be supplied, and which it shall not be lawful to carry to the Enemies of either, any more than the things above mentioned, on the penalty of being made Prize without hopes of redemption, if they are seized by either of the Confederates. Nor shall either of the Confederates permit that the Enemies or Rebels of the other be assisted by any of their Subjects, or that their Ships be sold, lent, or in any manner made use of by the Enemies or Rebels of the other, to his disadvantage or detriment.

ARTICLE III.

Trade of either Country with Enemies of the other.

But it shall be lawful for either of the Confederates, and his People or Subjects, to trade with the Enemies of the other, and to carry them any goods whatsoever, which are not excepted as above, without any impediment: Provided they are not carried to those Ports or Places which are besieged by the other; in which case they shall have leave either to sell their goods to the Besiegers, or to repair with them to any other Port which is not besieged.

ARTICLE IV.

Passports.

Whereas in the XIth Article of the Treaty concluded at Upsal, the 11th of April, 1654, between Sweden and England, it was agreed, that although it was precautioned and prohibited by the preceding Articles, that either of the Confederates should give aid and assistance to the Enemies of the other, yet it ought not to be understood, that that Confederate who is not involved in War with the Enemy of the other, shall not not be allowed to carry on trade with the said Enemy of that Confederate; but it was only provided thereby, till there should be a farther agreement concerning this matter, that no goods or merchandise which we commonly call Contraband shall be carried to the Enemy of the other, without danger of being made Prize, and without hopes of redemption, if they are seized by the other Confederate. In like manner, whereas by the XIIth Article of the said Treaty, for the evading of all suspicions, lest the navigation or commerce of one of the Confederates, whether by land or sea, should be carried on during War to the prejudice of the other Confederate, or lest the goods of Enemies should be carried under the disguise of the goods of Friends, it was stipulated and concluded, that all Ships, carriages, wares, and Men, belonging to the other of the Confederates, should be furnished in their journey and passage with Safe-conducts, commonly called Passports, and Certificates signed by the Chief Governor or Magistrate of that Province and City from whence they came; and that those forms of the Passports and Certificates were to be observed on which the Confederates should mutually agree on both sides; and when the merchandise, goods, Ships, Men, of either of the Confederates, and his Subjects and Inhabitants, shall meet or be met by the Ships of War, public or private, or the Subjects and Inhabitants of the other Confederate, in the open Sea, Straits, Harbours, Havens, Lands, and other places, wheresoever or howsoever they shall come together, after producing only their Safe-conducts and Certificates nothing farther should be demanded of them, no inquiry whatsoever should be made into the Ships, goods, or Men, much less should they be injured, damaged, or molested; but should be freely let go to prosecute their journey and purpose, as is above signified.

And whereas by the XIVth Article it was stipulated that the said Treaty and Confederacy should derogate nothing from any pre-eminency of Right and Dominion whatsoever of either of the Confederates, in any of their Seas, Straits, and waters whatsoever, but that they should have and retain the same to themselves in as ample a manner as they had all along enjoyed them, and as by right to them belonged; now, therefore, that a fitting draught of such Certificates and Passports may be formed and observed, which may be answerable to the meaning of the aforesaid Articles, it is agreed and concluded on both sides, that for avoiding all frauds and concealments whatsoever of the Enemies'

goods, and all occasions of quarrels as to any Certificates and Passports, such forms as are underwritten *verbatim* shall be observed, and subscribed and signed by the Chief Magistrate of that Province and City from whence they come; that then the true names of the Ships, carriages, merchandise, and Masters of the Ships be specified; as also the punctual days and times, without any fraud, together with other descriptions of that sort, which are expressed in the following form of a Safe-conduct or Certificate. Wherefore, if any Person who shall declare upon the oath by which he is bound to his King, State, or City, that he has given in a true account, be convicted by sufficient proof of having concealed any fraud by his permission under his said declaration, he shall be severely punished as a transgressor of the said oath.

Form of the Passport.

We N. N., Governor or Chief Magistrate of the Province or City of N., (the title or office of the respective Government of that place being added,) do make known and certify, that on the day of the month of N. N. N., Citizens and Inhabitants of N., and who are engaged and bound as Subjects of His Most Serene Royal Majesty of Sweden, and to our City, or of the Most Serene Lord Protector our Most Gracious Lord, and to our City, personally appeared before us in the City or Town of N., in the Dominion (of His Most Serene Royal Majesty of Sweden, or of the Most Serene Lord Protector of England, just as it shall happen), and declared to us, that the Ship or Vessel called N., of about lasts or tons, belongs to the Port, City or Town of N., in the Dominion of N., and that the said Ship does rightfully belong to him or other Subjects of His Most Serene Royal Majesty of Sweden, or of the Most Serene Lord Protector; that she is now bound directly from the Port N. to the Port N., laden with the following merchandise, viz. (here shall be specified the goods, with their quantity and quality; for example, about so many chests or bales, hogsheads, &c., according to the quantity and condition of the goods,) and affirmed upon oath to the aforesaid N., that the said goods or merchandise belong only to the Subjects of His Most Serene Royal Majesty of Sweden, the Most Serene Lord Protector of England, or expressing to whatever other Nation they belong; and that N. N. N. have declared upon their said oath, that the said goods above specified, and no others, are already put on board or are to be put on board the above-named Ship for the said voyage, and that no part of those goods belongs to any one whatsoever but the Persons above mentioned; and that no goods are disguised or concealed therein by any fictitious name whatsoever, but that the merchandise above mentioned is truly and really put on board, for the use of the said Owners and no others; and that the Captain of the said Ship named N. N. is a Citizen of the City of N. Therefore, whereas after strict examination by us, the above-mentioned (Governor or Chief Magistrate of the City aforesaid), it fully

appears that the goods on board the said Ship or Vessel are free, and do truly and really belong to the Subjects of His Most Serene Royal Majesty of Sweden, or of the Most Serene Protector, or to the Inhabitants of other Nations above mentioned; we do most humbly and earnestly require it of all and singular the Powers by land and sea, Kings, Princes, Republics, and free Cities; also of the Generals of Armies, Admirals, Commanders, Officers, and Governors of Ports, and all others to whom the custody of any Harbour or Sea is committed, which meet this Ship in her Voyage; or if she happen to fall in, among, or pass through their Squadrons, or to stay in their Harbours, that for the sake of the Treaties and Friendship which subsist respectively between them, or whoever are his Superiors, and the Most Serene King of Sweden, or the Most Serene Lord Protector our Most Gracious Lord, they will not only permit the said Captain with the Ship N., and the Men, goods, and merchandise to her belonging, to prosecute her voyage freely without let and molestation, but also, if he think fit to depart elsewhere from such Harbour, that they will show all kind offices to him and his Ships as a Subject of His Most Serene Royal Majesty of Sweden, or of the Most Serene Lord Protector, as they shall in like manner experience the same from our Most Serene King, or our Most Serene Lord Protector, and all his Ministers and Subjects in the like or any other case. In witness whereof we have taken care that these Presents signed by our hands, be sealed with the Seal of our City. Given at our Court, &c.

ARTICLE V.

Prizes made by Enemies of one Country of Vessels of that Country not to be taken into Ports of the other Country.

Neither of those Confederates shall suffer the Ships, Vessels, goods, or merchandise of the other, or of his People or Subjects, which are taken at Sea or elsewhere by Enemies or Rebels, to be brought into their Ports or Dominions, but shall publicly forbid anything of that kind to be done; and if any Ships, Vessels, goods, or merchandise of either, or his People or Subjects, taken at Sea or elsewhere, shall be carried into the Ports or Countries of the other by any Enemy or Rebel of the Confederates, or either of them, that Confederate into whose Harbours they shall be carried shall not suffer the same, or any part thereof, to be sold in that Port, or any other other place in their Dominion; but shall take care that the Master of the Ship or Vessel so taken, as also the Mariners and Passengers, shall, as soon as they arrive, be immediately set at liberty, together with all the Prisoners, Subjects of either Kingdom or Republic, as many as shall be brought thither; nor shall he permit the said Ship and Vessel to stay in that Harbour, but shall command the said Ship, with

her goods, merchandise, and lading, immediately to leave the Harbour: Provided, nevertheless, that nothing in this Article be turned to the prejudice of the Treaties formerly entered into by either of the Confederates with other Nations; and where these things do not interfere, the above Article shall remain in full force.

ARTICLE VI.

Regulations for Visit of War-ships.

It shall be free for the Men-of-War and Guard-Ships of either of the Confederates to enter into the Ports, Havens, or Rivers of the other, where such Ships use to repair, and there to cast anchor, stay, and to depart from thence without any injury or molestation, provided these conditions are observed.

1. That it shall not be free to carry into the Harbours of the Confederate any Squadron exceeding 5 or 6 ships, without giving some notice thereof beforehand.

2. That the Commander of the Squadron and Ships shall, without delay, exhibit his Letters of safe conduct to the Governor of the Castle, Fort, City, or Province, or acquaint the Magistrate of the place where he arrives with the reasons of his coming, and for what end, and how long he designs to stay in that Port or Haven.

3. That such Ships shall not come or stay nearer to those Castles or Forts than is convenient.

4. That the Mariners, Ships' Companies, and Soldiers shall not go ashore in bodies above 40 at a time, nor in any number that may give suspicion.

5. That while they are there they shall not do any damage to any Person, not so much as their Enemies; and, above all, shall not stop or obstruct the passage of any Merchant Ships whatsoever, into or out of the Harbour.

6. That they shall not leave their station for the sake of infesting the navigation of any Nation whatever.

7. That they shall in all respects live and behave modestly, quietly, and conformably to the Laws and customs of every place, and have special regard to the reciprocal friendship between the Confederates. Where the terms aforesaid are rightly observed according to the true meaning of the words, it shall be lawful for the Men-of-War of either Confederate to keep upon the Coasts, and continue in the Harbours of the other Confederate, whether for avoiding tempests and Enemies, or for rendezvousing and assembling Merchant Ships, or any other just causes. But if either of the Confederates shall think it advantageous or necessary to enter the Ports of the other Confederate with a greater number of Ships, and to enjoy the conveniences thereof, he shall signify the same to his Confederate 2 months beforehand, during which time the ways and means of admitting the same shall be settled.

ARTICLE VIII.

General Most-favoured-nation Treatment.

The Subjects of the said Most Serene Lord Protector and the said Republic shall also hereafter enjoy all the prerogatives in the several branches of trade which they used to carry on in Prussia and Poland, or elsewhere, in the Dominions of the said Most Serene King of Sweden, which they enjoyed heretofore, in preference to other Nations; and if at any time they desire further privileges, their desires shall be gratified by all the means possible; and if the said Most Serene King of Sweden shall grant greater and more ample privileges than the above mentioned, in Poland and Prussia, to any Nation besides, or People not subject to him, or shall suffer any Nation or People to enjoy such larger privileges there, then the People and Citizens of this Republic shall enjoy the same privileges in all respects, after they have desired it of His Most Serene Royal Majesty. And moreover, if any Edicts that have been published since 1650 happen to be burdensome to the English and Scots dwelling or trading in Poland or Prussia, the same shall, after this time, be of no force, as far as it can be rendered so in the Dominions of the Most Serene King of Sweden; but the subjects of the said Lord Protector shall hereafter be entirely free from those burdens.

ARTICLE IX.

Commerce in America.

As to the commerce to be carried on in America, it is expressly provided by Law that the Subjects of no Republic besides shall be empowered to trade there in common without a Special Licence; but if any of the Subjects of the Most Serene King of Sweden, furnished with his recommendations, shall privately solicit such Licence of the Lord Protector to trade to any of those Colonies whatsoever, he will in this respect comply with the desire of His Most Serene Royal Majesty of Sweden, as far as the state of his affairs and of the Republic will for that time permit.

ARTICLE X.

Herring Fishery on British Coast open to Swedes.

It shall be free for the Subjects of the Most Serene King of Sweden to fish and catch herrings and other fish in the Seas and on the Coasts which are in the Dominion of this Republic, provided the Ships employed in the Fishery do not exceed 1,000 in number; nor while they are fishing shall they be any ways hindered or molested, nor shall any charges be demanded on the account of the fishing by the Men-of-War of this Republic, nor

by those who are commissioned privately to trade at their own expence, nor by the Fishing Vessels on the Northern Coasts of Britain, but all Persons shall be treated courteously and amicably, and shall be allowed even to dry their nets on the shore, and to purchase all necessary provisions from the Inhabitants of those places at a fair price.

Done at Westminster, the 17th of July, 1656.

No. 172.

TREATY OF PEACE AND COMMERCE BETWEEN GREAT BRITAIN AND
SWEDEN.

Concluded at Whitehall, October 21, 1661.

(Translation.)

ARTICLE I.

Peace and Friendship.

FIRST, it is concluded and accorded that there be and remain a good, firm, sincere, and perpetual Peace, Amity, Alliance, and correspondence between His Sacred Majesty the King of Great Britain on the one part, and His Sacred Majesty the King of Sweden on the other; and all and singular their Dominions, Kingdoms, Countries, Provinces, Islands, Plantations, Lands, Cities, Towns, People, Citizens, and generally all their Subjects and Inhabitants: so that each part treat and use the other with all real friendship and affection.

ARTICLE II.

Each Country to warn the Other against Conspiracies, &c.

The said Confederates, their People, Subjects, and Inhabitants, shall, as opportunity is offered, take care of and promote the welfare of each other, and shall advertize each other, upon knowledge thereof, of all imminent dangers, plots, and conspiracies of Enemies against the other; and as much as in them lies, oppose and hinder the same. Neither shall the one Confederate by himself, or any else, treat of, act, or attempt anything to the prejudice and disadvantage of the other, his Lands, or Dominions,

in whatsoever place, whether at sea or land; nor shall any way assist the Rebels or Enemies of the other to the damage of the Confederate; nor receive or entertain within his Dominions any Rebel or Traitor who shall attempt anything against the other's State, much less afford them any counsel, help, or favour, or permit it to be done by any of his Subjects, People, and Inhabitants.

ARTICLE III.

Freedom of Commerce and Navigation.

The said Kings and Kingdoms shall take diligent care that, as much as in them lies, all impediments and obstacles be removed, which have hitherto interrupted the freedom of navigation and commerce, as well between both Nations as with other People and Countries within the Dominions, Lands, Seas, and Rivers of either; and shall sincerely endeavour to assert, maintain, defend, and promote the aforesaid liberty of navigation and commerce against all the Disturbers thereof, by such ways and means as either in this present Treaty or hereafter shall be agreed upon; neither shall they suffer that either by themselves, their Subjects, and People, or through their default, anything done or committed contrary hereunto.

ARTICLE IV.

Commerce and Navigation.—Most-favoured-nation Treatment.

That either of the aforesaid Confederates, their People and Subjects, may, without any Safe-Conduct, Licence general or special, freely and securely go and enter by land or sea, in and to the Kingdoms, Countries, Provinces, Lands, Islands, Cities, Villages, Towns, whether walled or unwalled, fortified or otherwise, Havens, and whatsoever Dominions of the other, and there stay, and from thence return, or pass through; and in the same places, upon just prices, procure and have provision of victuals for their use and sustenance, and be used with all friendly offices. And that either Confederate, their People and Subjects, may trade and have commerce in all places, where commerce has hitherto been exercised in what goods and merchandises they please, and may freely import and export the same, paying the Customs which are due, and conforming themselves to the Laws and Ordinances of each Kingdom, whether the same concern trade or any other right; which presupposed, the People, Subjects, and Inhabitants of both Confederates shall have and enjoy in each other's Kingdoms, Countries, Lands and Dominions, as large and ample privileges, relaxations, liberties, and immunities as any other Foreigner at present doth, or hereafter shall enjoy there.

ARTICLE V.

Immunity of Persons, Vessels, and Goods.

No Merchants, Captains, and Masters of Ships, Mariners, nor any other Persons, Ships, goods, or merchandise belonging to either Confederate, shall, upon any public or private account, by virtue of any Edict, general or special, within any of the Lands, Havens, Sea-roads, Coasts, or Dominions of the other, for any public service, or expedition of War, or any other cause, much less for any private use, be seized, embarked, arrested, forced by violence, or be any other way molested or injured: Provided only, such arrests as are conformable to justice and equity be not hereby prohibited, so be it they are made according to the ordinary course of Law, and not granted upon private affection or partiality, but are requisite for the administration of right and justice.

ARTICLE VI.

Vessels in Distress.

In case any of the Ships of either Confederate, whether of War or Merchants, belonging to the Subjects and People of either, be by occasion of tempest, pursuit of Pirates, and Enemies, or any other urgent necessity, constrained to put into each other's Havens, Roads, or Shores, they shall be received there with all kindness and humanity, and enjoy all friendly protection, and be permitted to refresh themselves, and procure at a reasonable price all things needful for their sustenance, reparation, or use. Neither shall they be hindered from going out of the said Ports or Roads at their pleasure, without paying any Customs or Duties: Provided they do nothing contrary to the Laws, Ordinances, and Customs of the place, which the said Ships shall enter into or abide in.

ARTICLE VII.

Wrecks and Salvage.

In like manner, if any Ship or Ships, whether public or private, belonging to either Confederate, their People and Subjects, shall within any of the Coasts or Dominions of the other stick upon the sands, or be wrecked, (which God forbid,) or suffer any damage, all friendly help and relief shall be given them upon a competent reward. And whatever shall be remaining of the goods thrown overboard, or after shipwreck, or any other damage sustained, shall be kept in safe custody, and restored to the Owners; so be it they, or such whom they shall appoint, do lay claim to the Ships and goods within a year's space from the time of the shipwreck, saving always the rights and customs of each Nation.

ARTICLE VIII.

Administration of Justice.—Protection of Persons.

In case the People and Subjects on either part, whether they be Merchants, Factors, or Servants, Masters of Ships, Mariners, or such others, who travel and inhabit within the Dominions of the other, or those who act on their behalf before any Court of Judicature, for recovery of their debts, or for other lawful occasions, shall stand in need of the Magistrate's help; the same shall be readily, and according to the equity of their cause, in friendly manner granted them, and justice shall be administered to them without long and unnecessary delays. Neither shall they be any way molested upon any pretence in the dispatch of their affairs, in their journeying, bargaining, and receiving the price of their commodities; but that all love and friendship be extended towards them. And it shall be free for them, on both sides, in their passage to and again, in each other's Coasts, Ships, Havens, and public places, to wear about them arms, for their proper defence, so be it they give no just suspicion to the Governor or Magistrate of the place of any design against the public or private Peace; but he especially who behaves and demeans himself soberly and inoffensively, shall be protected from all injury, violence and molestation.

ARTICLE IX.

Regulations for Visits of War-ships.

The said Confederates, and all and singular their People and Subjects, may buy and export out of all the Countries, Dominions, and Kingdoms of the other, all kind of armour and provision of War, and may safely and freely put in with their Ships, and arrive at each other's Ports, Havens, and Shores, and there stay, and thence depart, they carrying themselves peaceably, and conformably to the Laws and customs of the respective places, and not disturbing the freedom of commerce therein. In like manner the Ships of War shall have free access to the Ports of either, there to stay, come to anchor, and return without any injury or molestation, but upon these conditions:—

1. That the Fleet to be brought into the Ports of either Confederate, shall not exceed the number of 5 or 6 Ships, without notice first given thereof.

2. That without delay the Admiral or Commander of the Fleet and Ships, shall show his Letters of Safe-conduct to the Governor or Chief Magistrate of the Castle, Fort, City, or Province, where they arrive, signifying the cause of their arrival, and declare to what end and how long they resolve to continue there.

3. That in such case the Ships keep a just distance from the Castles and Fortresses.

4. That not above 40 Mariners and Soldiers, or so many as may give suspicion, come on shore together and in company.

5. That they give offence to none there, not so much as to their Enemies, and especially hinder or obstruct not the entrance and egress of any Merchants' Ships whatever.

6. That they go not thence as from their own road, and return again to the disturbance of the navigation of any Nation.

7. That they live, and in all things demean themselves peaceably and conformably to the Laws and customs of each place, and chiefly to the mutual friendship of the Confederates; but, if either of the Confederates shall hold it convenient or necessary with a greater number of Ships, to enter into the Ports of the other, and enjoy the benefit thereof, he shall declare his purpose 2 months before to the other Confederate; and then the means and manner of admitting them shall be agreed upon; but if the Ships of either be compelled into the other's Ports, by danger of tempest, sea, or Enemies, in such case the cause of their arrival shall be signified to the Governor or Chief Magistrate of the place, and they shall continue there no longer than the said Governor or Chief Magistrate shall permit, observing always the Laws and customs in this Article before-mentioned.

ARTICLE X.

Freedom of Travel and Trade.

The Subjects and Inhabitants of the King and Kingdom of Great Britain may safely and freely travel in the Kingdoms, Dominions and Territories of the King of Sweden, and pass through the same by sea or land to any other Nations, freely to traffic and have commerce with them, in all sorts of merchandise, and to import and export the same. And the Subjects of the King of Sweden shall enjoy the same freedom in the Kingdoms, Dominions, and Territories of the King of Great Britain; provided the Laws, Ordinances, and particular rights of each Nation, concerning trade and commerce, be observed on both sides.

ARTICLE XI.

Contraband of War.

Although, in the preceding Articles of this present Treaty, it be forbidden to either Confederate, to yield any aid or assistance to the Enemies of the other; yet it is not to be so understood, as if either Confederate, having no War with the Enemies of the other, might not sail to, or traffic with, the said Enemies, notwithstanding that the other Confederate be in actual War with them. But it is only provided, that no goods called goods of contraband, and particularly, that no money, provision, weapons, fire-arms, with their appurtenances, fire-balls, gun-powder, match, bullets, spear-heads, swords, lances, pikes, halberts, ordnance, mortar-pieces, petards, grenadoes, rests, bandeliers, saltpetre, pistols, small shot, pots, head-pieces, backs and breasts, or such kind of armour; Soldiers

horses, all furniture necessary for horses, holsters, belts, and whatsoever warlike instruments; as also, that no Ships of War, or Convoys, be furnished to the Enemy, without peril, in case they be taken, of being adjudged lawful prize, without hope of restitution. And neither of the Confederates shall suffer any of his Subjects to give aid, sell, or lend Ships, or be any way useful to the Enemies or Rebels of the other to his prejudice or detriment; but it shall be lawful for either Confederate, his People and Subjects, to have commerce with the Enemies of the other, and to carry to them all kinds of merchandise, not before excepted, without any let or hindrance, unless it be into such Ports and Places as are besieged by the other, and in such case, it shall be lawful for them to sell their commodities to the Besiegers, or otherwise to betake themselves to any other Port which is not besieged.

ARTICLE XII.

Passports.

But lest such navigation and intercourse of the one Confederate, his People and Subjects, by land or sea, with other Nations, during the War of the other Confederate, should redound to the prejudice of the said other Confederate; and lest goods of Enemies should pass concealed under the name of Friends; for the removing of all suspicion and prevention of fraud herein, it is agreed that all Ships, waggons, wares, and Men belonging to either Confederate, shall in their passage have Letters of Safe Conduct, commonly called Passports and Certificates, whereof the hereunder written forms shall be word for word observed, and subscribed and signed by the Chief Magistrate or Head Commissioners of the Customs and Imposts of that Province and City whence they come, and the true names of the Ships, carriages, wares, Masters of the Ships, shall be specified, the days also and times, together with such other descriptions as are expressed in the following form of a Certificate, shall without any fraud be particularized. Wherefore, if any one who upon the faith of that oath, whereby he is bound to his Prince, State, or City, shall affirm, that he hath alleged nothing but the truth, and afterwards be convicted of wilful fraud in that allegation, he shall be punished with severity, and as a Person guilty of the breach of that oath.

Form of Passport.

We, N. N., Governor or Chief Magistrate, or Commissioners of the Imposts and Customs of the City or Province of N. [*putting the title or office of the respective Government of that place*] do certify, that upon the day of the month of in the year of our Lord , N. N. N. Citizens and Inhabitants of N. and Subjects of His Majesty, the King of Great Britain, or the King of Sweden, (as the case shall happen,) did personally appear before us in the City or Town of N. under the Dominion of His Majesty the King of Great Britain, or of His

Majesty the King of Sweden, and did there upon the faith of that oath, whereby they are bound to His Majesty the King of Great Britain, our Most Gracious Sovereign, or to His Majesty the King of Sweden, our Most Gracious Sovereign, and to our City, declare that the Ship or Vessel called N. of N. lasts or tons, doth belong to the Port, City, or Town of N. of the Dominion of N. and that the said Ship does properly and of right appertain thereunto, or the Subjects of His Majesty the King of Great Britain, or the King of Sweden, but now from the Port N. is bound for N. freighted with the goods following, viz., [here let the goods be specified, with their quantity and quality, for example, about so many loads or packs, about so many hogsheads, &c., according as the quantity or condition of the merchandise shall be,] and did affirm upon the aforesaid oath, so much N. of the said goods and merchandise to belong to the Subjects of the King of Great Britain, or of the King of Sweden, or so much N. unto N. N. N. [let it be expressed of what Country the Owners be] and that N. N. N. upon the oath aforesaid alleged, that the said goods above specified, and no others, were put, or to be put on board the said Ship for that voyage, and that no part thereof belongeth to any other than the Persons aforesaid; and that therein there are no other goods hidden under any false or counterfeit name whatsoever, but that the aforesaid merchandise were truly and really for the use of the said Owners and Proprietors, and no others; and that the said Master of the Ship, named N. is a Citizen of N. Wherefore, since upon strict inquiry it is manifest to us [the Governor, Chief Magistrate, or Commissioners of the Customs of the City aforesaid] that the said Ship, or Vessel, and goods are free, and do really and truly belong to the Subjects of His Majesty of Great Britain, or His Majesty of Sweden, or the aforesaid Inhabitants of other Countries; We do, with all respect, humbly desire all Powers by land or sea, Kings, Princes, Commonwealths, Free Cities, as also all Generals, Admirals, General Officers, Governors of Ports, and all others, to whom the guard of any Port or Sea is committed, who shall happen to meet this Ship under sail, or into whose Fleet she shall fall, or in whose Ports she shall happen to stay, that in regard to the Friendship and Alliance which is between every of them, or their Superiors, and His Majesty of Great Britain, our Most Gracious Sovereign, or His Majesty of Sweden, our Most Gracious Sovereign, that they would not only suffer and permit the said Master with the Ship N. the Persons, goods, and merchandise belonging thereunto, without any let or hindrance, freely to make his voyage, but also (if he think convenient to go anywhere else from the said Port) that they would do him all civil offices, as a Subject of His Majesty the King of Great Britain, or of the King of Sweden, expecting the like returns from His Majesty the King of Great Britain, or His Majesty the King of Sweden, his Officers and Subjects in the like or other case. In witness whereof, we have subscribed these Presents, and sealed the same with the common Seal of our City. Dated, &c.

Whenever, therefore, any the merchandise, goods, Vessels, or Men belonging to either, their People and Subjects, shall be met with, either in open Sea, or in any Channel, Haven, Road, Land, or any other place, by the Ships of War, public or private, or by any the People, Subjects, and Inhabitants of the other, or shall happen to be in one place with them, they producing their Letters of Safe Conduct and Certificates aforesaid, shall have nothing farther exacted of them, no search made, either of goods, Vessels, or Men, much less shall they receive any damage, injury, or molestation, but shall be suffered to pass on with freedom to pursue their occasions. But if this stated and appointed form of Certificate be not produced, and there be just cause of suspicion, then the Ship ought to be visited, which (it is to be understood) shall be allowed only in such and no other case. And if any the People and Subjects of either side shall do or commit anything contrary to the proper sense of this present Article, either Confederate shall take care that severe punishment be inflicted on the Offender, and cause full and speedy satisfaction to be made to the Parties wronged for all costs and damages.

ARTICLE XIII.

Prizes made by Enemies of either Country of Ships of that Country not to be taken to Ports of the other.

Neither of the said Confederates shall suffer the Ships, Vessels, goods, or merchandise of the other, his People or Subjects, taken at sea or elsewhere by his Enemies or Rebels, to be carried into his Ports or Dominions, but shall publicly forbid the same to be done; but if any Ships, Vessels, goods, or merchandise of either, his People or Subjects, taken at sea or elsewhere, shall be brought by any the Enemy or Rebel of the Confederates, or either of them, into the Ports and Territories of the other, he shall not suffer the same, or any part thereof, to be sold in that Port, or other his Dominions; but shall take care that the Master of the Ship or Vessel so taken, as also the Seamen and other Passengers, shall, immediately upon their arrival, be set free, together with all the Prisoners who are Subjects of the other Kingdom, and shall not suffer the said Ship or Vessel to remain in that Port, but forthwith dismiss the same with all its goods, merchandise, and burthen; provided always that by this Article no prejudice be done to the Agreements heretofore made with other Nations by either of the Confederates; but in all other cases, the said Article shall obtain full force and vigour.

ARTICLE XIV.

Infraction of Treaty by Private Individuals.

In case it shall hereafter happen that, during this Amity and Confederation, any of the People or Subjects of either shall act

or attempt anything against the same, or any part thereof, either by land, sea, or other waters, this Amity, Confederation, and Alliance, shall not be thereupon interrupted or broken off, but shall remain and continue still in full force and virtue; only in such case the particular Persons which have offended, shall be punished, and no others; and justice shall be done, and satisfaction made to all Persons injured, within 12 months after demand thereof. And in case the Persons so offending shall not appear and submit themselves to justice, and make satisfaction within the said term, the said Persons shall be declared Enemies to both States, and their estates and goods whatsoever shall be confiscated and employed to a due and full satisfaction for the wrong by them done; and their persons shall be liable to further punishment, when they shall come within the power of either State, as the quality of their offence shall deserve.

ARTICLE XV.

Territorial Waters.

This present Treaty and Confederation shall in nothing derogate from any pre-eminence, right or dominion of either Confederate within any his own Seas, Channels, or Waters, but that they have and retain the same in as full and ample manner as they have hitherto had, or as of right belongs to them.

ARTICLE XVI.

No Treaty to be made with other Nations prejudicial to this Treaty.

It being the primary intent of this League and Amity, that each Confederate, their People and Subjects, might enjoy such freedom of navigation and commerce, as is described in the foregoing Articles, within the Baltic, Sound, Northern, Western, and British Seas, Mediterranean, and Channel, and other the Seas in Europe; therefore all sincere endeavour shall be used on both sides, by common advice, aid, and assistance, that the aforesaid mutual liberty of navigation and commerce be established, promoted, and (as occasion is) defended against all the Disturbers thereof, who shall go about to interrupt, prohibit, hinder, or restrain and limit the same to their own will and pleasure, in prejudice of the said Confederates; and either Party shall, with all willingness and readiness, promote the good and prevent the hurt of each other, saving the Treaties which either Nation hath made with other Kingdoms, Commonwealths, and Nations; but neither Confederate shall hereafter make any League or Agreement in prejudice of this present, with any other People or Nation, without the privity and consent of the other; or if any such Agreement be hereafter made, the same shall be reputed null and void and give place to this present Treaty.

ARTICLE XVII.

Ratifications.

Whatever is agreed on in the foregoing Articles, shall be in force and virtue from this present time, and be truly observed on both sides by all such as are within each other's allegiance. And for the further confirmation thereof, shall be subscribed, signed, and ratified, as well by His Majesty of Great Britain, as by His Majesty of Sweden, under their hand-writing and Seals, within 6 months next ensuing the date of these Presents.

Done at Whitehall, the 21st day of October, 1661.

No. 173.

TREATY OF COMMERCE AND ALLIANCE BETWEEN GREAT BRITAIN
AND SWEDEN.

Signed at Stockholm, February 5, 1766.

(Extract.)

ARTICLE I.

Friendship and Alliance.

Les 2 Hauts Alliés s'engagent, pour eux, leurs Héritiers et Successeurs, et leurs Sujets respectifs, de vouloir, comme de bons et fidèles Amis Alliés, se procurer mutuellement tout le bien, avantage et considération possible, et de contribuer de l'un côté et de l'autre à tout ce qui pourra servir à resserrer de plus en plus les nœuds d'une amitié sincère et permanente.

ARTICLE II.

General Most-favoured-nation Treatment.

Les Sujets des 2 Puissances jouiront réciproquement, dans les Royaumes, Ports, Rades, Rivières, &c., de l'une et de l'autre, de tous les droits, avantages et immunités dont jouissent ou pourront jouir ci-après les Nations les plus favorisées, excepté dans le cas contenu dans le III^{me} Article du Traité Préliminaire de Commerce conclu entre les Couronnes de Suède et de France, le $\frac{14}{10}$ d'Avril, 1741, concernant les Droits à payer dans le Port de Wismar.*

* *Extract from the Preliminary Convention of Commerce between Sweden and France.—Signed at Versailles, April 25, 1741.*

"ART. III. Les Sujets de Sa Majesté Très Chrétienne jouiront dans la Ville, Port, et Territoire de Wismar, à l'exclusion de toutes les autres Nations, du privilège de ne payer pour les effets et marchandises, qu'ils y porteront par leurs propres Vaisseaux, que 3-quarts pour cent de la valeur des dits effets ou marchandises pour tous Droits de Douane ou autres, quels qu'ils puissent être, soit que les marchandises s'y consomment, ou qu'elles en soient exportées, ainsi qu'il est réglé pour les Sujets mêmes de Sa Majesté Suédoise."

Fait à Stockholm, le 5^{me} Février, 1766.

(L.S.) J. GOODRICKE.

(L.S.) CARL GUSTAF LOWENHIEM.

(L.S.) CARL LAGENBERG.

(L.S.) FRIED. FRIESENDORFF.

(L.S.) ADM. HORNE.

(L.S.) A. LAGERBIECKE.

(L.S.) J. VON DIEBEN.

(L.S.) C. LAGERFLYCHT.

No. 174.

TREATY OF PEACE, UNION, AND FRIENDSHIP BETWEEN GREAT
BRITAIN AND SWEDEN.

*Signed at Orebro, July 18, 1812.**

In the Name of the Most Holy and Undivided Trinity.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Sweden, being equally animated with the desire of re-establishing the ancient relations of friendship and good understanding between the two Crowns, and between their respective States, have named for this purpose their Plenipotentiaries, that is to say: His Royal Highness the Prince Regent, in the name and on the behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, Edward Thornton, Esquire; and His Majesty the King of Sweden, Lawrence Baron d'Engeström, one of the Nobles of the Kingdom of Sweden, Minister of State and of Foreign Affairs, Chancellor of the University of Lund, Knight and Commander of the Orders of the King, Knight of the Royal Order of Charles the Thirteenth, Grand Eagle of the Legion of Honour of France; and Gustavus Baron de Wetterstedt, Chancellor of the Court, Commander of the Order of the Polar Star, one of the Eighteen Members of the Swedish Academy; the which Plenipotentiaries, after having exchanged their full powers, drawn up in full and due form, have agreed upon the following Articles:

* Signed also in French.

ARTICLE I.

Peace and Friendship.

There shall be between their Majesties the King of the United Kingdom of Great Britain and Ireland, and the King of Sweden, their heirs and successors, and between their subjects, kingdoms, and respective States, a firm, true, and inviolable peace, and a sincere and perfect union and friendship, so that from this moment every cause of misunderstanding, which may have existed between them, shall be regarded as entirely ceasing and done away.

ARTICLE II.

Confirmation of Commercial Treaties subsisting on January 1, 1791.

The relations of friendship and commerce between the two kingdoms, shall be re-established upon the footing on which they stood on the 1st day of January, 1791; and all the Treaties and Conventions subsisting between the two countries at that epoch, shall be regarded as renewed and confirmed, and they are, by the present Treaty, renewed and confirmed accordingly.

ARTICLE III.

Assistance to Sweden in Case of War with other Powers.

If in resentment of the present pacification, and the re-establishment of good understanding between the two countries, any power whatsoever shall make war upon Sweden, His Majesty the King of the United Kingdom of Great Britain and Ireland engages to take measures, in concert with His Majesty the King of Sweden, for the security and independence of his States.

ARTICLE IV.

Ratifications.

The present Treaty shall be ratified by the two High Contracting Parties, and the ratifications shall be exchanged within six weeks, or sooner, if possible.

In faith whereof we the Undersigned, in virtue of our full powers, have signed the present Treaty, and have fixed thereto the seal of our arms.

Done at Orebro, the eighteenth day of the month of July, in the year of our Lord one thousand eight hundred and twelve.

EDWARD THORNTON. THE BARON D'ENGESTROM.

(L.S.)

(L.S.)

G. BARON DE WETTERSTEDT.
(L.S.)

No. 175.

DECLARATIONS OF SWEDEN, FOR THE ABOLITION OF CERTAIN
DUES AFFECTING BRITISH COMMERCE, IN THE PORTS OF
SWEDEN.

Signed at Stockholm, April 24, 1824.

DECLARATION No. 1.

*Commerce and Navigation, Pilotage, Lighthouse, Tonnage, Harbour,
and other Dues.—National Treatment.*

Le Soussigné, Ministre d'Etat et des Affaires Etrangères de Sa Majesté Le Roi de Suède et de Norvège, ayant reçu la Déclaration de Monsieur le Général Bloomfield, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, en date de ce jour, contenant l'assurance d'une parfaite réciprocité, déclare par la présente, en vertu de l'Autorisation à lui donnée, au Nom et de la Part du Roi, Son Très Gracieux Souverain :—

Que les Bâtimens de Commerce Anglois arrivant dans les Ports ou Parages du Royaume de Suède, seront à l'avenir traités sur le même pied que les Bâtimens Nationaux, pour ce qui concerne les droits de Pilotage, de Fanaux, de Tonnage, et, en général, tous les droits compris sous la dénomination de *droits de Port* dûs à la Couronne (*Skepps-ungålder*) de quelque nature que ce soit :—

Que les Bâtimens de Commerce Anglois seront également assimilés aux Bâtimens Nationaux, par rapport aux *droits de Sauvetage*, sans aucune restriction ou différence :—

Et que le Commerce Suédois, jouissant déjà d'un avantage réciproque dans les Ports de la Grande Bretagne, les dispositions susmentionnées, en faveur du Commerce Anglois, seront mises en vigueur, dans tous les Ports du Royaume de Suède, sans délai, et avec autant de promptitude que faire se pourra.

En foi de quoi le Soussigné a signé la présente Déclaration, et y a fait apposer le Cachet de ses Armes.

Fait à Stockholm, le vingt-quatre Avril l'An de Grace mil-huit-cent vingt-quatre.

(L.S.) LAURENT COMTE D'ENGESTRÖM.

DECLARATION No. 2.

Imports, Exports.—Colonies.—Commerce and Navigation.—National Treatment.

LE Soussigné, Ministre d'Etat et des Affaires Etrangères de Sa Majesté Le Roi de Suède et de Norvège, ayant reçu la Déclaration de Monsieur le Général Bloomfield, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, en date de ce jour, contenant l'assurance d'une parfaite réciprocité, déclare par la présente, en vertu de l'autorisation à lui donnée, au Nom et de la Part du Roi Son Très Gracieux Souverain :—

Que toutes les productions du sol ou des manufactures du Royaume de la Grande Bretagne et de ses Colonies, dont l'importation en Suède est permise à bord de Bâtimens Suédois, d'après les Réglemens existans, pourront être importées en Suède par des Bâtimens Anglois venant en droiture des Ports de la Grande Bretagne, sans être soumises, à leur entrée, à des droits à la Couronne plus hauts ou autres, que si elles étaient chargées à bord d'un Bâtiment Suédois :—

Que toutes les denrées dont l'exportation ne serait point prohibée, pourront être exportées des Ports du Royaume de Suède, à bord de Bâtimens Anglois, pour tel endroit que ce soit, sans être soumises, à leur sortie, à des droits à la Couronne plus hauts ou autres, que si elles étaient chargées à bord d'un Bâtiment Suédois :—

Mais que les Bâtimens de Commerce Suédois ne jouissant point de la liberté de visiter les Ports des Colonies et Possessions ultramarines de l'Angleterre, il est entendu, que les immunités ci-dessus désignées ne sont point applicables, dans les Ports de Suède, aux marchandises apportées dans des Bâtimens appartenans aux dites Colonies et Possessions ultramarines ou dans des Bâtimens Anglois proprement dits, venant en droiture des Colonies Angloises.

Et finalement, que les Stipulations susmentionnées, fondées sur la promesse d'une exacte réciprocité dans les Ports de la Grande Bretagne, en faveur du Commerce Suédois, seront mises en vigueur dans les Ports du Royaume de Suède, à compter du 1^{er} Juin de la présente année mil-huit-cent vingt-quatre.

En foi de quoi le Soussigné a signé la présente Déclaration, et y a fait apposer le Cachet de ses Armes.

Fait à Stockholm, le vingt-quatre Avril l'An de Grace mil-huit-cent vingt-quatre.

(LS.) LAURENT COMTE D'ENGESTRÖM.

SWEDEN AND NORWAY.

No. 176.

**CONVENTION OF COMMERCE AND NAVIGATION BETWEEN GREAT
BRITAIN AND SWEDEN AND NORWAY.***Signed at London, March 18, 1826.**

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Sweden and Norway, having, by Declarations exchanged on the twenty-fourth day of April and sixteenth day of July, 1824, entered into stipulations for removing impediments affecting the Navigation and Trade of their respective States; and Their said Majesties being mutually desirous of still further extending and improving the relations of Friendship and Commerce now happily subsisting between them and Their respective subjects, and of placing the arrangements already agreed upon by the Declarations aforesaid, upon a more sure and satisfactory footing, have appointed Their Plenipotentiaries to conclude a Convention for these purposes, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland, The Right Honourable George Canning, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, and His said Majesty's Principal Secretary of State for Foreign Affairs; and The Right Honourable William Huskisson, a Member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations, and Treasurer of His said Majesty's Navy;

And His Majesty the King of Sweden and Norway, the Sieur Gustavus Algernon, Baron de Stierneld, His First Gentleman of the Chamber, Under-Chancellor of His Orders, Commander of the Order of the Polar Star, Knight of the Order of St. Anne of Russia of the Second Class, and of the Order of the Red Eagle of Prussia of the Third Class: and His said Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Britannick Majesty:

Who, after having communicated to each other their respective Full Powers, found to be in due and proper form, have agreed upon and concluded the following Articles:—

* Signed also in Swedish.

ARTICLE I.

Confirmation of Declarations of April 24 and July 16, 1824.

The several stipulations contained in the Declarations exchanged between the Plenipotentiaries of His Majesty The King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Sweden and Norway, on the twenty-fourth day of April and sixteenth day of July, 1824, shall continue in force between the High Contracting Parties, respectively, for the term of the present Convention, and shall be equally binding upon the said Parties, Their Officers and Subjects, except as far as the same may be hereinafter varied, as if the same had been inserted, word for word, in this Convention.

ARTICLE II.

Shipping Duties.—National Treatment.

British Vessels entering or departing from the Ports of the Kingdoms of Sweden and Norway, and Swedish and Norwegian Vessels entering or departing from the Ports of the United Kingdom of Great Britain and Ireland, shall not be subject to any other or higher ship-duties or charges, than are or shall be levied on national Vessels entering or departing from such Ports respectively.

ARTICLE III.

Imports and Exports in Vessels of either Country.—National Treatment.

All goods, wares, and merchandize, whether the production of the Kingdoms of Sweden and Norway, or of any other Country, which may be legally imported from any of the Ports of the said Kingdoms into the United Kingdom of Great Britain and Ireland in British Vessels, shall, in like manner, be permitted to be so imported directly in Swedish or Norwegian Vessels; and all goods, wares, and merchandize, whether the production of any of the Dominions of His Britannick Majesty, or of any other Country, which may be legally exported from the Ports of the United Kingdom, in British Vessels, shall, in like manner, be permitted to be exported from the said Ports in Swedish or Norwegian Vessels. An exact reciprocity shall be observed in the Ports of Sweden and Norway, so that all goods, wares, and merchandize, whether the production of the United Kingdom, or of any other Country, which may be legally imported from the Ports of the United Kingdom into the Ports of Sweden and Norway, in Swedish or Norwegian Vessels, shall, in like manner, be permitted to be so imported from the Ports of the United Kingdom in British Vessels; and all goods, wares, and merchandize, whether the production of any of the Dominions of

His Swedish Majesty, or of any other Country, which may be legally exported from the Ports of Sweden or Norway in Swedish or Norwegian Vessels, shall, in like manner, be permitted to be exported from the said Ports in British Vessels.

ARTICLE IV.

Imports and Exports in Vessels of either Country.—Duties, Bounties, Drawbacks, &c.—National Treatment.

All goods, wares, and merchandize, which can legally be imported into the Ports of either Country directly from the other, shall, upon such importation, be admitted at the same rate of duty, whether imported in Vessels of the one or the other country; and all goods, wares, and merchandize, which can be legally exported from the Ports of either Country, shall, upon such exportation, be liable to the same duties, and be entitled to the same bounties, drawbacks and allowances, whether exported in Vessels of the one or the other Country.

ARTICLE V.

No Differential Treatment.

No priority or preference shall be given, directly or indirectly, by the Government of either Country, or by any Company, Corporation, or Agent, acting in its behalf or under its authority, in the purchase of any article of the growth, produce, or manufacture of either Country, imported into the other, on account of, or in reference to the character of the Vessel in which such article was imported; it being the true intent and meaning of the High Contracting Parties, that no distinction or difference whatever shall be made in this respect.

ARTICLE VI.

Colonial and Foreign Possessions.—National Treatment.

From and after the date of the present Convention, British Ships shall be allowed to proceed direct from any Port of His Britannick Majesty's Dominions, to any Colony of His Majesty the King of Sweden and Norway not in Europe, and to import into such Colony any goods the growth, produce, or manufacture of the United Kingdom, or of any of the British Dominions, not being such goods as are prohibited to be imported into such Colony, or as are admitted only from the Dominions of His Majesty the King of Sweden and Norway; and such British Ships, and such goods so imported in them, shall be liable, in such Colony of His Majesty the King of Sweden and Norway, to no higher or other charges than would be there payable on Swedish or Norwegian ships importing the like sorts of goods, or payable on the like goods, the growth, produce, or manufacture of any Foreign Country, allowed to be imported into the said

Colony in Swedish or Norwegian Ships. And from and after the same date, Swedish and Norwegian Vessels shall be allowed to proceed direct from any Ports of the Dominions of His Majesty The King of Sweden and Norway, to any Colony of the United Kingdom of Great Britain and Ireland (other than those in the possession of the East India Company), and to import into such Colony any goods, the growth, produce, or manufacture of the Kingdoms of Sweden and Norway, or of any of Their Dominions, not being such goods as are prohibited to be imported into such Colony, or as are admitted only from the Dominions of His Britannick Majesty; and such Swedish and Norwegian Vessels, and such goods so imported in them, shall be liable, in such Colony of the United Kingdom of Great Britain and Ireland, (other than those in the possession of the East India Company,) to no other or higher charges than would be there payable on British vessels importing the like sorts of goods, or payable on the like goods, the growth, produce, or manufacture of any Foreign Country, allowed to be imported into the said Colony in British Ships.

ARTICLE VII.

Colonial and Foreign Possessions.—Differential Treatment.

From and after the date of the present Convention, British Ships shall be allowed to export from any Colony of His Majesty The King of Sweden and Norway not in Europe, any goods not prohibited to be exported from such Colony; and such British Ships, and such goods so exported in them, shall be liable, in such Colony, to no other or higher charges than would be payable by, and shall be entitled to the same drawbacks as would be there allowable on, Swedish or Norwegian Ships exporting such goods. And the like liberty and privileges of exportation shall be reciprocally granted in the British Colonies, (other than those in the possession of the East India Company,) to Swedish and Norwegian Ships, and to goods exported in them.

ARTICLE VIII.

Trade with British India.—Most-favoured-nation Treatment.

In respect to the Commerce to be carried on in Vessels of Sweden or Norway with the British Dominions in the East Indies, or now held by the East India Company in virtue of their Charter, His Britannick Majesty consents to grant the same facilities and privileges, in all respects, to the Subjects of His Swedish Majesty, as are or may be enjoyed, under any Treaty or Act of Parliament, by the Subjects or Citizens of the most favoured Nation; subject to the laws, rules, regulations, and restrictions which are or may be applicable to the Ships and Subjects of any other Foreign Country enjoying the like facilities and privileges of trading with the said Dominions.

ARTICLE IX.

Imports and Exports: Duties and Prohibitions.—Commerce and Navigation.—Most-favoured-nation Treatment.

The High Contracting Parties engage that all articles the growth, produce, or manufacture of Their respective Dominions, shall be subject to no higher duties, upon their admission from the one Country into the other, than are paid by the like articles, the growth, produce, or manufacture of any other Foreign Country; and that no prohibition or restraint shall be imposed upon the importation into the one Country from the other, or upon the exportation from the one Country to the other, of any such articles, the growth, produce, or manufacture of either of the said States, which shall not equally extend to all other Nations; and, generally, that in all matters and regulations of Trade and Navigation, each of the High Contracting Parties will treat the other upon the footing of the most favoured Nation.

ARTICLE X.

Commerce and Navigation.—National Treatment.

In consideration of the advantages and facilities which the Navigation and Commerce of the United Kingdoms of Sweden and Norway will enjoy, under the present Convention, and the Act of Parliament of the 5th July, 1825, His Majesty the King of Sweden and Norway consents that, from and after this date, Vessels of the United Kingdom of Great Britain and Ireland shall be allowed to import into Sweden any merchandize or goods of European origin, which are likewise permitted to be imported into Sweden from any Port whatever, with the exception of the following articles:

Salt.	Wine.
Hemp.	Tobacco.
Flax.	Salt or dried Fish.
Oil of all kinds.	Wool; and
Grain of all kinds.	Stuffs of all kinds:

which, as before, shall be imported into Sweden only in Vessels of Sweden and Norway, or in Vessels of the Countries of which such articles are the produce.

The said excepted articles shall, however, be allowed to be imported into Sweden in Vessels of the United Kingdom of Great Britain and Ireland proceeding direct from some Port of the United Kingdom, provided such articles shall have been previously landed and warehoused in a Port of the United Kingdom, after having been imported thither from the country of their origin.

These stipulations in favour of British Commerce shall remain in force during the continuance of the present Convention, and as far as the Act of Parliament of the 5th July, 1825, shall continue to grant to the Navigation and Commerce of Sweden, equivalent facilities of the same nature.

ARTICLE XI.

Duties on Personal Property.—National Treatment.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Sweden and Norway, mutually agree, that no higher or other duties shall be levied, in any of their Dominions, upon any personal property of Their respective Subjects, on the removal of the same from the Dominions of Their said Majesties, reciprocally, either upon the inheritance of such property, or otherwise, than are or shall be payable in each State, upon the like property, when removed by a Subject of such State, respectively.

ARTICLE XII.

Duration of Convention.

The present Convention shall be in force for the term of ten years from the date hereof; and further, until the end of twelve months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the High Contracting Parties reserving to itself the right of giving such notice to the other, at the end of the said term of ten years; and it is hereby agreed between Them, that, at the expiration of twelve months after such notice shall have been received by either Party from the other, this Convention, and all the provisions thereof, shall altogether cease and determine.

ARTICLE XIII.

Ratifications.

The present Convention shall be ratified, and the Ratifications shall be exchanged at London within six weeks from the date hereof, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their Arms.

Done at London, the eighteenth day of March, in the year of our Lord one thousand eight hundred and twenty-six.

(L.S.) GEORGE CANNING.
(L.S.) WILLIAM HUSKISSON.

ADDITIONAL ARTICLE.

Trade with British East Indies.

As it may sometimes happen that a Swedish or Norwegian Vessel trading to the Possessions held by the British East India Company in the East Indies, under the eighth Article of the Convention of this date, may find it expedient to dispose of the

whole or part of her cargo, on her homeward bound voyage, in other Ports than those of Sweden and Norway, it is hereby agreed, that any such Vessel may proceed, with such cargo, to any Foreign Place or Port, whatsoever, not being within the limits of the East India Company's Charter, and excepting the United Kingdom of Great Britain and Ireland and its Dependencies.—

The present Additional Article shall have the same force and validity as if it were inserted, word for word, in the Convention signed this day. It shall be ratified, and the Ratifications shall be exchanged at the same time.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the eighteenth day of March, in the year of our Lord one thousand eight hundred and twenty-six.

(L.S.) GEORGE CANNING.
(L.S.) WILLIAM HUSKISSON.
(L.S.) STIERNELD.

No. 177.

DECLARATION BETWEEN THE GOVERNMENTS OF GREAT BRITAIN
AND OF SWEDEN AND NORWAY RESPECTING THE PRIVILEGES
OF COMMERCIAL TRAVELLERS.

Signed at Stockholm, October 13, 1883.

LE Gouvernement de Sa Majesté Britannique et le Gouvernement de Sa Majesté le Roi de Suède et de Norvège, voulant constater par une Déclaration spéciale l'interprétation à donner à l'Article IX de la Convention de Commerce et de Navigation conclue à Londres le 18 Mars, 1826, en ce qui concerne le traitement en Douane des échantillons apportés dans les États de l'une des Parties Contractantes par des commis-voyageurs, sujets de l'autre, sont convenus des Articles suivants :—

ARTICLE I.

Privileges of Commercial Travellers.—Most-favoured-nation Treatment.

Les commis-voyageurs Suédois et Norvégiens jouiront dans le Royaume-Uni de la Grande-Bretagne et d'Irlande, comme également aussi les commis-voyageurs Anglais en Suède et en Norvège, des mêmes privilèges facilités, et avantages par rapport au traite-

ment en Douane des échantillons apportés par eux, ou en ce qui concerne toute autre matière, que ceux qui sont actuellement ou qui pourront à l'avenir être accordés aux commis-voyageurs, appartenant à la nation étrangère la plus favorisée sous ces rapports.

ARTICLE II.

Duration of Declaration.

La présente Déclaration entrera en vigueur à partir du jour de sa signature et restera exécutoire aussi longtemps que la Convention entre la Grande-Bretagne et les Royaumes-Unis du 18 Mars, 1826, sera en vigueur.

Fait à Stockholm, le 13 Octobre, 1883.

(L.S.) HORACE RUMBOLD,

(L.S.) HOCHSCHILD.

No. 178.

ACCESSION OF SWEDEN AND NORWAY TO THE CONVENTION OF
MARCH 20, 1883, FOR THE PROTECTION OF INDUSTRIAL
PROPERTY.

June 12, 1885.

M. le Ministre, *Berne, le 12 Juin, 1885.*

NOUS avons l'honneur d'informer votre Excellence que, par note du 29 Mai dernier, le Ministre des Affaires Étrangères des Royaumes-Unis de Suède et de Norvège nous a notifié l'accession de ces deux États à la Convention Internationale du 20 Mars, 1883, pour la protection de la propriété industrielle. La date de l'accession est fixée au 1^{er} Juillet prochain.

Pour la contribution aux frais du Bureau International, la Suède est rangée dans la troisième classe des États Contractants, et la Norvège dans la quatrième.

Nous saisissons, &c.,

Au nom du Conseil Fédéral Suisse :

SCHENK, *Président de la Confédération.*

RINGIER,

Chancelier de la Confédération.

Son Excellence M. le Ministre des Affaires Étrangères,

d

, à

SWITZERLAND.

No. 179.

TREATY OF FRIENDSHIP, COMMERCE, AND RECIPROCAL ESTABLISHMENT BETWEEN GREAT BRITAIN AND SWITZERLAND.

*Signed at Berne, September 6, 1855.***[Ratifications exchanged at Berne, March 6, 1856.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Swiss Confederation, being animated with the desire to maintain and strengthen the ties of friendship which happily subsist between the two countries, and to promote by every means in their power the commercial relations between their respective subjects and citizens, have resolved to conclude a Treaty of Friendship, Commerce, and reciprocal Establishment, and have for that purpose named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, George John Robert Gordon, Esquire, Her Minister Plenipotentiary to the Swiss Confederation ;

And the Federal Council of the Swiss Confederation, Jonas Furrer, Doctor of Laws, President of the Swiss Confederation ; and Frederick Frey Herosée, Federal Colonel, Member of the Swiss Federal Council ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Residence.—National Treatment.

The subjects of Her Britannic Majesty shall be admitted to reside in each of the Swiss Cantons on the same conditions, and on the same footing, as citizens of the other Swiss Cantons. In the same manner, Swiss citizens shall be admitted to reside in all the territories of the United Kingdom of Great Britain and Ireland on the same conditions, and on the same footing as British subjects.

* Signed also in French.

Freedom of Travel, Residence, and Trade.—Hiring, &c., of Houses and Warehouses.—Employment of Agents.—Passports.—Taxes, &c.—National and Most-favoured-nation Treatment.

Consequently, the subjects and citizens of either of the two Contracting Parties shall, provided they conform to the laws of the country, be at liberty, with their families, to enter, establish themselves, reside, and remain in any part of the territories of the other. They may hire and occupy houses and warehouses for the purposes of residence and commerce, and may exercise, conformably to the laws of the country, any profession or business, or carry on trade in articles of lawful commerce by wholesale or retail, and may conduct such trade either in person or by any brokers or agents whom they may think fit to employ, provided such brokers or agents shall themselves also fulfil the conditions necessary for being admitted to reside in the country. They shall not be subject to any taxes, charges, or conditions in respect of residence, establishment, passports, licenses to reside, establish themselves, or to trade, or in respect of permission to exercise their profession, business, trade, or occupation, greater or more onerous than those which are or may be imposed upon the subjects or citizens of the country in which they reside; and they shall, in all these respects, enjoy every right, privilege, and exemption which is or may be accorded to subjects or citizens of the country, or to subjects or citizens of the most favoured nation.

ARTICLE II.

Reception of Nationals returning to their Country Voluntarily or by Judicial Sentence.

The subjects or citizens of either of the two Contracting Parties residing or established in the territories of the other, who may wish to return to their country, or who may be sent back thither by a judicial sentence, by a measure of police legally adopted and executed, or in conformity with the laws respecting mendicity or morals, shall, with their families, be received at all times and under all circumstances, in the country of which they are natives, and where they shall have retained their rights conformably to the laws.

ARTICLE III.

Invulnerability of Dwellings, &c.

The dwellings and warehouses of the subjects or citizens of either of the two Contracting Parties in the territories of the other, and all premises appertaining thereto, destined for purposes of residence or commerce, shall be respected. No search of, or visit to, such dwellings and premises, and no examination or inspection of the books, papers, or accounts of the respective subjects and citizens shall be arbitrarily made, but such measures shall be executed only in conformity with the legal sentence,

warrant, or order in writing of some tribunal or magistrate having competent constitutional or legal jurisdiction.

Administration of Justice.—National Treatment.

The subjects and citizens of either of the two Contracting Parties in the territories of the other, shall moreover have free and open access to the Courts of Justice for the prosecution and defence of their rights. They shall enjoy in this respect the same rights and privileges as subjects or citizens of the country, and shall, like them, be at liberty to employ, in all causes, their advocates, attornies, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE IV.

Acquisition and Disposal of Property.—National and Most-favoured-nation Treatment.

The subjects and citizens of either of the two Contracting Parties in the territories of the other shall be at full liberty to acquire, possess, and dispose of, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, or in any other manner whatever, every description of property which the laws of the country may permit any foreigners, of whatsoever nation, to hold. Their heirs and representatives may succeed to, and take possession of, such property, either in person or by agents acting on their behalf, in the ordinary form of law, in the same manner as subjects or citizens of the country; and in the absence of such heirs and representatives the property shall be treated in the same manner as the like property belonging to a subject or citizen of the country under similar circumstances.

Duties, &c., on Property.—National Treatment.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge, than is payable by subjects or citizens of the country. In every case the subjects and citizens of the Contracting Parties shall be permitted to export their property; that is to say, British subjects from the Swiss territory, and Swiss citizens from the British territory, freely, and without being subjected on such exportation to pay any duty as foreigners, and without having to pay any other or higher duties than those to which subjects or citizens of the country are liable.

ARTICLE V.

Exemption from Military Service and Requisitions except Lodging and Supplies for Soldiers on a March.

The subjects or citizens of either of the two Contracting Parties in the territories of the other, shall be exempted from all compulsory military service whatever, whether in the army, navy, or national guard or militia. They shall also be exempted from

all contributions, whether pecuniary or in kind, imposed as a compensation for personal service, as well as from military requisitions, with the exception of lodging and supplies, according to the custom of the country, and demandable alike from citizens and foreigners, for the military on a march.

ARTICLE VI.

Duties, &c., on Property.—National and Most-favoured-nation Treatment.

No other or higher duty, tax, impost, or charge, either in time of peace or in time of war, shall, under any circumstances, be imposed or levied upon, or in respect of, any property held by a subject or citizen of one of the two Contracting Parties in the territories of the other, than is or may be imposed or levied upon, or in respect of, the like property belonging to a subject or citizen of the country, or to a subject or citizen of the most favoured nation.

Taxes, &c.—National and Most-favoured-nation Treatment.

Nor shall any other tax or demand whatever be imposed or levied upon a subject or citizen of either of the Contracting Parties, in the territories of the other Contracting Party, other or higher than is or may be imposed or levied upon a subject or citizen of the country, or upon a subject or citizen of the most favoured nation.

ARTICLE VII.

Appointment and Privileges of Consuls.—Most-favoured-nation Treatment.

It shall be free for each of the two Contracting Parties to appoint Consuls to reside in the territories of the other Party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the Contracting Parties may except from the residence of Consuls such particular places as either of them may judge fit to be excepted.

The Consuls of each of the Contracting Parties in the dominions of the other shall enjoy whatever privileges, exemptions, and immunities are, or shall be, granted there to Consuls of the most favoured nation.

ARTICLE VIII.

Importation, Exportation, Warehousing Transit.—National and Most-favoured-nation Treatment.

In all that relates to the importation into, the warehousing in, the transit through, and the exportation from, their respective territories, of any article of lawful commerce, the two Contracting

Parties engage that their respective subjects and citizens shall be placed upon the same footing as subjects and citizens of the country, or as the subjects and citizens of the most favoured nation in any case where the latter may enjoy an exceptional advantage not granted to natives.

ARTICLE IX.

Import, Export, Warehousing, and Transit Duties.—Most-favoured-nation Treatment.

Neither of the two Contracting Parties shall impose upon the importation, warehousing, transit, or exportation of any article, the growth, produce, or manufacture of the territories of the other, any other or higher duty than that which is or may be imposed upon the like article, being the growth, produce, or manufacture of any other foreign country.

ARTICLE X.

Commerce.—Most-favoured-nation Treatment.

The two Contracting Parties further engage that any favour in matters of commerce which either of them may hereafter grant to any third Power, shall be also, and at the same time, extended to the other Contracting Party.

ARTICLE XI.

Duration of Treaty.

The present Treaty shall continue in force for ten years from the date of the exchange of the Ratifications thereof, and further until the end of twelve months after either of the two Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the Contracting Parties being at liberty to give such notice to the other at the end of the said term of ten years, or at any time afterwards.

ARTICLE XII.

Ratifications.

The present Treaty shall be ratified, and the ratifications shall be exchanged at Berne as soon as possible within twelve months after its signature.

In witness whereof the respective Plenipotentiaries have signed the same in the English and French languages, and have affixed thereto the seal of their arms.

Done in duplicate at Berne, the sixth day of September, in the year of grace one thousand eight hundred and fifty-five.

(L.S.) G. J. R. GORDON.

(L.S.) DR. FURRER.

(L.S.) F. FREY HEROSÉE.

No. 180.

DECLARATION BETWEEN GREAT BRITAIN AND SWITZERLAND FOR THE
RECIPROCAL PROTECTION OF MANUFACTURING AND TRADE-MARKS.

*Signed at Berne, November 6, 1880.**

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Swiss Federal Council, have, with a view to the reciprocal protection of the marks of manufacture and trade in the two countries, agreed to the following Declaration:—

The subjects or citizens of each of the Contracting Parties shall enjoy, in the dominions and possessions of the other, the same rights as are possessed by native subjects or citizens, or as may hereafter be granted to the subjects or citizens of the most-favoured nation, in everything relating to the protection of property in manufacturing or trade-marks.

It is understood that any person who desires to obtain the aforesaid protection must fulfil the formalities required by the laws of the respective countries, which formalities the Contracting Parties shall reciprocally communicate to each other, reserving to themselves, however, the right to modify them, from time to time, if they consider it necessary.

The present Declaration shall come into force from the day of its signature. It shall remain in force so long as one of the Contracting Parties shall not have notified to the other its intention of terminating it.

In witness whereof the Undersigned, duly authorised for this purpose, have signed the present Declaration, and have affixed thereto the seal of their arms.

Done in Duplicate at Berne the 6th day of November, 1880.

(L.S.) C. VIVIAN.

(L.S.) DROZ.

No. 181.

ACCESSION OF SWITZERLAND TO THE INTERNATIONAL SUGAR
CONVENTION OF MARCH 5, 1902.

June 26, 1906.

PROTOCOLE.

L'ALLEMAGNE, l'Autriche-Hongrie, la Belgique, la France, la Grande-Bretagne, l'Italie, le Grand-Duché de Luxembourg, les Pays-Bas, le Pérou, et la Suède, d'une part, et

* Signed also in French.

La Suisse, d'autre part,
se sont trouvés d'accord quant à l'accession de la Suisse à la Convention relative au régime des sucres du 5 Mars, 1902, sous les réserves et conditions énumérées ci-après :—

1. Aussi longtemps que la Suisse n'exportera pas de sucre, le Gouvernement Fédéral sera affranchi des obligations qui font l'objet des Articles II et III de la Convention.

2. Le Délégué du Gouvernement Fédéral prendra part aux réunions de la Commission Permanente avec voix consultative, mais sans droit de vote.

Il est expressément entendu que si par la suite le droit de vote venait à être accordé au Délégué d'un nouvel État adhérent et non exportateur de sucre, ce droit serait immédiatement étendu au Délégué du Gouvernement Fédéral.

3. L'accession de la Suisse à la Convention sortira ses effets le 1^{er} Septembre, 1906.

En foi de quoi les Soussignés, Représentants des États de l'Union Sucrière, d'une part, et de la Suisse, d'autre part, ont signé le présent Protocole.

Fait à Bruxelles, en un seul exemplaire, le 26 Juin, 1906.

Pour l'Allemagne :

(Signé) GRAF VON WALLWITZ.

Pour l'Autriche-Hongrie :

C^{TE}. CLARY ET ALDRINGEN,

Ministre d'Autriche-Hongrie.

Pour l'Autriche :

LÉOPOLD JOAS,

Conseiller au Ministère des Finances.

Pour la Hongrie :

TELESZKY JANOS,

Conseiller au Ministère des Finances.

Pour la Belgique :

FAVEREAU.

Pour la France :

A. GÉRARD.

Pour la Grande-Bretagne :

ARTHUR H. HARDINGE.

Pour l'Italie :

BONIN.

Pour le Grand-Duché de Luxembourg :

LE COMTE D'ANSEMBOURG.

Pour les Pays-Bas :

VAN DER STAAL VAN PIERSHIL.

Pour le Pérou :

D. GAMIO.

Pour la Suède :

G. FALKENBERG.

Pour la Suisse :

(Signé) JULES BOREL.

TONGA.

No. 182.

TREATY OF FRIENDSHIP, &C., BETWEEN GREAT BRITAIN AND
TONGA.*Signed at Nukualofa, November 29, 1879.***[Ratifications exchanged at Nukualofa, July 3, 1882.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Tonga, being desirous to maintain and strengthen the relations of friendship which happily subsist between their respective dominions and subjects, have resolved to conclude a Treaty for that purpose, and have, therefore, named as their Plenipotentiaries:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, &c., the Honourable Sir Arthur Hamilton Gordon, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Her Britannic Majesty's High Commissioner and Consul-General for the Western Pacific, Governor of Fiji; and Alfred Percival Maudslay, Esquire, one of Her Majesty's Deputy Commissioners for the Western Pacific; and

His Majesty the King of Tonga, &c., Wellington Tubou Malohi, Knight of the Order of the Red Eagle of the Second Class, Governor of Vavau; and George Fatafeh, Governor of Haapai;

Who, after having communicated to each other their respective full powers, have agreed upon and concluded the following Articles:—

ARTICLE I.

Peace and Friendship.

There shall be perpetual Peace and Friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, and His Majesty the King of Tonga, his heirs and successors, and between their respective dominions and subjects.

* Signed also in Tongan.

ARTICLE II.

General Most-favoured-nation Treatment.

His Majesty the King of Tonga engages to grant to no other Sovereign or State any rights, powers, authority, or privileges in Tonga in excess of those accorded to Her Britannic Majesty.

The subjects of Her Britannic Majesty shall always enjoy in Tonga, and Tongan subjects shall always enjoy in the territories of Her Britannic Majesty, whatever rights, privileges, and immunities they now possess, or which are now accorded to the subjects of the most favoured nation; and no rights, privileges, or immunities shall be granted hereafter in Tonga to the subjects of any foreign State which shall not equally and unconditionally be granted to the subjects of Her Britannic Majesty.

ARTICLE III.

Trial of British Subjects for Offences cognizable by British Law.

(a.) If any subject of Her Britannic Majesty in Tonga is charged with a criminal offence cognizable by British Law, such charge may be tried by the Court of Her Britannic Majesty's High Commissioner for the Western Pacific Islands.

Trial of British Subjects for Offences Against Tongan Law.

(b.) If any subject of Her Britannic Majesty in Tonga is charged with an offence against the Municipal Law of Tonga not cognizable as such under British Law, he shall be amenable to the jurisdiction of the Tongan Courts, the proceedings of which shall be conducted in public, and the records of which shall be public and accessible.

Trial of British Subjects for Offences cognizable by both British and Tongan Laws.

(c.) If any subject of Her Britannic Majesty in Tonga is charged with a criminal offence cognizable as such both by British Law and the Laws of Tonga, the party charged may elect whether he will be tried by a Tongan Court or by the Court of Her Britannic Majesty's High Commissioner.

Civil Suits against British Subjects.

(d.) Every civil suit which may be brought in Tonga against any subject of Her Britannic Majesty in Tonga shall be brought before and tried by the Court of Her Britannic Majesty's High Commissioner.

Attendance of Tongan Witnesses in British Court.

(e.) Every summons or warrant to appear as a witness before the Court of Her Britannic Majesty's High Commissioner, issued

in accordance with British Law, and directed to a Tongan subject, shall, if possible, be endorsed by a Judge of the Supreme Court of Tonga, and when so endorsed, shall have the same authority, and may be enforced in like manner, as if issued by the Supreme Court of Tonga; but where it shall be made to appear to the Court of Her Majesty's High Commissioner that the delay required to procure such endorsement might lead to the escape or removal of a material witness, such summons or warrant may be issued by the Court without such endorsement, and shall have the same authority, and may be enforced in like manner, as if such summons or warrant had been directed to a subject of Her Britannic Majesty.

Definition of "British Law."

(f.) The expression "British Law" in this Article includes any Regulations duly made and issued by Her Britannic Majesty's High Commissioner for the Western Pacific Islands for the government of British subjects within his jurisdiction; and the Court of Her Majesty's High Commissioner shall include any British Court or officer for the time being authorized by Her Britannic Majesty to exercise jurisdiction in the Western Pacific.

ARTICLE IV.

Extradition of Tongans from British Territory.

Her Britannic Majesty agrees to surrender to His Majesty the King of Tonga any Tongan subject who, being accused or convicted of any of the under-mentioned crimes, committed in the territory of the King of Tonga, shall be found within the territory of Her Britannic Majesty.

The crimes for which such surrender may be granted are the following:—

- Murder, or attempt to murder;
- Embezzlement or larceny;
- Fraudulent bankruptcy;
- Forgery.

Her Britannic Majesty may, however, at any time put an end to this Article by giving notice to that effect to His Majesty the King of Tonga. The Article shall, however, remain in force for six months after the notice of its termination.

ARTICLE V.

Date of coming into force of Treaty.

The present Treaty shall come into force and effect from the date of the signature thereof, but shall again become null and void if not ratified within the prescribed period.

ARTICLE VI.

Ratifications.

The present Treaty shall be ratified, and the ratifications exchanged at Nukualofa within twelve months from the date thereof.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their seals.

Done at Nukualofa, the twenty-ninth day of November, in the year of our Lord one thousand eight hundred and seventy-nine.

(L.S.) ARTHUR GORDON.
(L.S.) ALFRED P. MAUDSLAY.
(L.S.) UELIGATONI TUBOU MALOHI.
(L.S.) JIAOJI FATAFEHI.

PROTOCOL.

Restrictions as to Extradition of Tongan Criminals.

THE Undersigned in proceeding to the exchange of the ratifications of the Treaty signed at Nukualofa on the 29th November, 1879, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the King of Tonga, have agreed to the present Protocol, which shall have the same force and validity as if it had been inserted in the body of the Treaty itself.

It is agreed that the arrangement contained in Article IV of the said Treaty shall be subject to the restrictions on the surrender of fugitive criminals contained in the Acts respecting extradition which are in force in the dominions of Her Britannic Majesty, and the procedure to be adopted with respect to the surrender of such criminals shall be in conformity with the provisions of the said Acts.

In witness whereof the Undersigned duly authorized for this purpose, have signed the present Protocol, in duplicate, and have affixed thereto their seals.

Done at Nukualofa, on the 3rd day of July, 1882.

(L.S.) ARTHUR GORDON.
(L.S.) TUBOU MALOHI.

TURKEY.

No. 183.

CAPITULATIONS of 1675.

[Reprinted from a copy published by the Levant Company
in 1820.]

SULTAN MEHEMED, MAY HE LIVE FOR EVER!

“Let every thing be observed in conformity to these Capitulations,
and contrary thereto let nothing be done.”

*Extension to British Subjects of Privileges granted to French,
Venetians, Poles, &c.*

THE command, under the Sublime and lofty Signet, which imparts sublimity to every place, and under the imperial and noble Cypher, whose glory is renowned throughout all the world, by the Emperor and Conqueror of the Earth, achieved with the assistance of the Omnipotent, and by the especial grace of God, is this :

We, who by Divine grace, assistance, will, and benevolence, now are the King of Kings of the world, the Prince of Emperors of every age, the Dispenser of Crowns to Monarchs, and the Champion, Sultan Mehemed, Son of Sultan Ibrahim Chan, Son of Sultan Ahmed Chan, Son of Sultan Mahomed Chan, Son of Sultan Murad Chan, Son of Sultan Selim Chan, Son of Sultan Solyman Chan, Son of Sultan Selim Chan.

The most glorious amongst the great Princes professing the faith of Jesus, and the most conspicuous amongst the Potentates of the nation of the Messiah, and the Umpire of public differences that exist between Christian nations, clothed with the mantle of magnificence and majesty, Charles the Second, King of England, Scotland, France, and Ireland (whose end terminate in bliss!), having sent an Ambassador to the Sublime Porte in the time of our grandfather Sultan Murad (whose tomb be ever resplendent!) of glorious memory and full of divine mercy and pity, with professions of friendship, sincerity, devotion, partiality, and benevolence, and demanding that his subjects might be at liberty to come and go

into these parts, which permission was granted to them in the reign of the Monarch aforesaid, in addition to various other special commands, to the end that on coming and going, either by land or sea, in their way, passage, and lodging, they might not experience any molestation or hindrance from any one.

He represented, in the reign of our grandfather Sultan Mehemed Chan (whose tomb be ever resplendent!) to our just and overshadowing Porte, his cordial esteem, alliance, sincere friendship, and partiality thereto. As such privilege, therefore, had been granted to the Kings and Sovereigns of France, Venice, and Poland, who profess the most profound devotion for our most eminent throne, and to others between whom and the Sublime Porte there exists a sincere amity and good understanding, so was the same, through friendship, in like manner granted to the said King; and it was granted him that his subjects and their interpreters might safely and securely come and trade in these our sacred dominions.

The Capitulations of sublime dignity and our noble commands having been, through friendship, thus granted to the Kings aforesaid, and the Queen of the above-mentioned kingdom* having heretofore also sent a noble personage with presents to this victorious Porte, which is the refuge and retreat of the Kings of the world, the most exalted place, and the asylum of the Emperors of the Universe (which gifts were graciously accepted), and she having earnestly implored the privilege in question, her entreaties were acceded to, and these our high commands conceded to her.

ARTICLE I.

Freedom of Commerce and Navigation.

That the English nation and merchants, and all other merchants sailing under the English flag, with their ships and vessels, and merchandize of all descriptions, shall and may pass safely by sea, and go and come into our dominions, without any the least prejudice or molestation being given to their persons, property, or effects, by any person whatsoever, but that they shall be left in the undisturbed enjoyment of their privileges, and be at liberty to attend to their affairs.

ARTICLE II.

Non-Molestation of British Subjects.

That if any of the English coming into our dominions by land be molested or detained, such persons shall be instantly released, without any further obstruction being given to them.

* Queen Elizabeth, and Kings James I and Charles I.

ARTICLE III.

Liberty of British Vessels to remain or depart.

That English ships and vessels entering the ports and harbours of our dominions shall and may at all times safely and securely abide and remain therein, and at their free will and pleasure depart therefrom, without any opposition or hindrance from any one.

ARTICLE IV.

Vessels in Distress.

That if it shall happen that any of their ships suffer by stress of weather, and not be provided with necessary stores and requisites, they shall be assisted by all who happen to be present, whether the crews of our imperial ships, or others, both by sea and land.

ARTICLE V.

Supplies to Vessels.

That being come into the ports and harbours of our dominions, they shall and may be at liberty to purchase at their pleasure, with their own money, provisions and all other necessary articles, and to provide themselves with water, without interruption or hindrance from any one.

ARTICLE VI.

Wrecks.

That if any of their ships be wrecked upon any of the coasts of our dominions, all beys, cadis, governors, commandants, and others our servants, who may be near or present, shall give them all help, protection and assistance; and restore to them whatsoever goods and effects may be driven ashore; and in the event of any plunder being committed, they shall make diligent search and inquiry to find out the property, which, when recovered, shall be wholly restored by them.

ARTICLE VII.

Protection to Persons and Property.

That the merchants, interpreters, brokers, and others, of the said nation, shall and may, both by sea and land, come into our dominions, and there trade with the most perfect security; and in

coming and going, neither they nor their attendants shall receive any the least obstruction, molestation, or injury, either in their persons or property, from the beys, cadis, sea captains, soldiers, and others, our slaves.

ARTICLE VIII.

Recovery of Debts. •

That if an Englishman, either for his own debt, or as surety for another, shall abscond, or become, bankrupt, the debt shall be demanded from the real debtor only; and unless the creditor be in possession of some security given by another, such person shall not be arrested, nor the payment of such debt be demanded of him.

ARTICLE IX.

Administration of Justice.—Civil Suits.

That in all transactions, matters, and business occurring between the English and merchants of the countries to them subject, their attendants, interpreters, and brokers, and any other persons in our dominions, with regard to sales and purchases, credits, traffic, or security, and all other legal matters, they shall be at liberty to repair to the judge, and there make a *hoget*, or public authentic act, with witness, and register the suit, to the end that if in future any difference or dispute shall arise, they may both observe the said register and *hoget*; and when the suit shall be found conformable thereto, it shall be observed accordingly.

Should no such *hoget*, however, have been obtained from the judge, and false witnesses only are produced, their suit shall not be listened to, but justice be always administered according to the legal *hoget*.

ARTICLE X.

False Charges against British Subjects.

That if any shall calumniate an Englishman, by asserting that he hath been injured by him, and producing false witnesses against him, our judges shall not give ear unto them, but the cause shall be referred to his Ambassador, in order to his deciding the same, and that he may always have recourse to his protection.

ARTICLE XI.

Fugitive Offenders.

That if an Englishman, having committed an offence, shall make his escape, no other Englishman, not being security for him, shall, under such pretext, be taken or molested.

ARTICLE XII.

Release of British Subjects found in Slavery.

That if an Englishman, or subject of England, be found to be a Slave in our states, and be demanded by the English Ambassador or Consul, due inquiry and examination shall be made into the causes thereof, and such person being found to be English, shall be immediately released, and delivered up to the Ambassador or Consul.

ARTICLE XIII.

Exemption of British Subjects from Tribute.

That all Englishmen, and subjects of England, who shall dwell or reside in our dominions, whether they be married or single, artisans or merchants, shall be exempt from all Tribute.

ARTICLE XIV.

Appointment of Consuls.

That the English Ambassadors shall and may, at their pleasure, establish Consuls in the ports of Aleppo, Alexandria, Tripoli of Barbary, Tunis, Tripoli of Syria, Scio, Smyrna, and Egypt, and in like manner remove them, and appoint others in their stead without any one opposing them.

ARTICLE XV.

Presence of Interpreters at Trials.

That in all litigations occurring between the English, or subjects of England, and any other person, the judges shall not proceed to hear the cause without the presence of an Interpreter, or one of his deputies.

ARTICLE XVI.

Disputes between Englishmen.—Decision of Ambassador or Consul.

That if there happen any suit, or other difference or dispute amongst the English themselves, the decision thereof shall be left to their own Ambassador or Consul, according to their custom, without the judge or other governors our slaves, intermeddling therein.

ARTICLE XVII.

Detention of British Vessels at Sea.

That our ships and galleys, and all other vessels, which may fall in with any English ships in the seas of our dominions, shall

not give them any molestation, nor detain them by demanding any thing, but shall show good and mutual friendship the one to the other, without occasioning them any prejudice.

ARTICLE XVIII.

General Most-favoured-nation Treatment.

That all the Capitulations, privileges, and articles granted to the French, Venetian, and other Princes who are in amity with the Sublime Porte, having been in like manner, through favour, granted to the English, by virtue of our special command, the same shall be always observed according to the form and tenor thereof, so that no one in future do presume to violate the same, or act in contravention thereof.

ARTICLE XIX.

Restoration of captured Vessels.—Punishment of Offenders.

That if the corsairs or galliots of the Levant shall be found to have taken any English vessels, or robbed or plundered them of their goods and effects, also if any one shall have forcibly taken any thing from the English, all possible diligence and exertion shall be used and employed for the discovery of the property, and inflicting condign punishment on those who may have committed such depredations; and their ships, goods, and effects shall be restored to them without delay or intrigue.

ARTICLE XX.

Execution of Capitulations.

That all our beglerbeys, imperial and private captains, governors, commandants, and other administrators, shall always strictly observe the tenor of these Imperial Capitulations, and respect the friendship and correspondence established on both sides, every one in particular taking special care not to let any thing be done contrary thereto; and as long as the said Monarch shall continue to evince true and sincere friendship, by a strict observance of the Articles and Conditions herein stipulated, these Articles and Conditions of peace and friendship shall, in like manner be observed and kept on our own part. To the end, therefore, that no act might be committed in contravention thereof, certain clear and distinct Capitulations were conceded in the reign of our late grandfather, of happy memory (whose tomb be ever resplendent!).

ADDITIONAL.

Since which, in the time of our said grandfather of happy memory, Sultan Ahmed (whose tomb be blessed !) James, King of England, sent an Ambassador with letters and presents (which were accepted), and requested that the friendship and good understanding which existed between him and the Porte in the days of our grandfather, of happy memory, as also the stipulations and conditions of the august Capitulations, might be ratified and confirmed, and certain Articles added thereto; which request being represented to the Imperial Throne, express commands were given, that in consideration of the existing friendship and good understanding, and in conformity to the Capitulations conceded to other Princes in amity with the Sublime Porte, the Articles and stipulations of the Sacred Capitulations should be renewed and confirmed, and the tenor thereof be for ever observed; and amongst the Articles added to the capitulations conceded by the command aforesaid, at the request of the said King, were the following:—

ARTICLE XXI.

Duties on Piastres and Sequins.

That duties shall not be demanded or taken of the English or the merchants sailing under the flag of that nation, on any piastres and sequins they may import into our sacred dominions, or on those they may transport to any other place.

ARTICLE XXII.

Dollars or Sequins.

That our beglerbeys, judges, defterdars, and masters of the mint, shall not interpose any hindrance or obstacle thereto, by demanding either dollars or sequins from them, under the pretence of having them recoined and exchanged into other money, nor shall give them any molestation or trouble whatever with regard thereto.

ARTICLE XXIII.

Freedom of Trade.—Supplies to Vessels.

That the English nation, and all ships belonging to places subject thereto, shall and may buy, sell, and trade in our sacred dominions, and (except arms, gunpowder, and other prohibited commodities) load and transport in their ships every kind of merchandize, at their own pleasure, without experiencing any the least obstacle or hindrance from any one; and their ships and vessels shall and may at all times safely and securely come, abide and trade in the ports and harbours of our sacred dominions, and

with their own money, buy provisions and take in water, without any hindrance or molestation from any one.

ARTICLE XXIV.

Law Suits.—Presence of Ambassador, Consul, or Interpreter.

That if an Englishman, or other subject of that nation, shall be involved in any law suit, or other affair connected with law, the judge shall not hear nor decide thereon until the Ambassador, Consul, or Interpreter, shall be present ;

And all suits exceeding the value of 4,000 aspers shall be heard at the Sublime Porte, and nowhere else.

ARTICLE XXV.

Inviolability of Persons and Abode of Consuls.—Law Suits.

That the Consuls appointed by the English Ambassador in our sacred dominions, for the protection of their merchants, shall never, under any pretence, be imprisoned, nor their houses sealed up, nor themselves sent away ; but all suits or differences in which they may be involved shall be represented to our Sublime Porte, where their Ambassadors will answer for them.

ARTICLE XXVI.

Succession to Property.—Intestate Estates.

That in case any Englishman, or other person subject to that nation, or navigating under its flag, should happen to die in our sacred dominions, our fiscal and other officers shall not, upon pretence of its not being known to whom the property belongs, interpose any opposition or violence, by taking or seizing the effects that may be found at his death, but they shall be delivered up to such Englishman, whoever he may be, to whom the deceased may have left them by his will ; and should he have died intestate, then the property shall be delivered up to the English Consul, or his representative, who may be there present ; and in case there be no Consul, or Consular representative, they shall be sequestered by the judge, in order to his delivering up the whole thereof, whenever any ship shall be sent by the Ambassador to receive the same.

ARTICLE XXVII.

Privileges and Liberties of British Subjects.—Distribution of Property.—Exemption from Fees.

That all the privileges and other liberties already conceded, or hereafter to be conceded to the English, and other subjects of that nation sailing under their flag, by divers Imperial commands, shall

be always obeyed, and observed, and interpreted in their favour, according to the tenor and true intent and meaning thereof; neither shall any fees be demanded by the fiscal officers and judges in the distribution of their property and effects.

ARTICLE XXVIII.

Janizaries and Interpreters to Consuls, &c.

That the Ambassadors and Consuls shall and may take into their service any janizary or interpreter they please, without any other janizary, or other of our slaves intruding themselves into their service against their will and consent.

ARTICLE XXIX.

Liberty to make Wine.

That no obstruction or hindrance shall be given to the Ambassadors, Consuls, and other Englishmen, who may be desirous of making wine in their own houses, for the consumption of themselves and families; neither shall the janizaries, our slaves, or other, presume to demand or exact anything from them, or do them any injustice or injury.

ARTICLE XXX.

Non-demand of Customs Duty more than once.

That the English merchants having once paid the customs at Constantinople, Aleppo, Alexandria, Scio, Smyrna, and other ports of our sacred dominions, not an asper more shall be taken or demanded from them at any other place, nor shall any obstacle be interposed to the exit of their merchandize.

ARTICLE XXXI.

Liberty to re-export, Goods unsold, Free of Duty.

That having landed their merchandize imported by their ships into our sacred dominions, and paid in any port the customs thereon, and being obliged, from the impossibility of selling the same there, to transport them to another port, the commandants or governors shall not, on the landing of such merchandize, exact from them any new custom or duty thereon, but shall suffer them, freely and unrestrictedly, to trade, without any molestation or obstruction whatsoever.

ARTICLE XXXII.

Excise or Duty on Animal Food.

That no excise or duty on animal food shall be demanded of the English, or any subjects of that nation.

ARTICLE XXXIII.

Flemish Trade under British Flag.

That differences and disputes having heretofore arisen between the Ambassadors of the Queen of England and the King of France, touching the affair of the Flemish merchants, and both of them having presented memorials at our Imperial stirrup, praying that such of the said merchants as should come into our sacred dominions might navigate under their flag, hattî-sheriffs were granted to both parties, but the Captain Pasha, Sinan, the son of Cigala, now deceased, who was formerly Vizier, and well versed in maritime affairs, having represented that it was expedient that such privilege should be granted to the Queen of England, and that the Flemish merchants should place themselves under her flag, as also the merchants of the four Provinces of Holland, Zealand, Friesland, and Guelderland, and all the other Viziers being likewise of opinion that they should all navigate under the Queen's flag, and, like all the other English, pay the consulage and other duties, as well on their own merchandize as on those of others loaded by them in their ships, to the Queen's Ambassadors or Consuls, it was by express order and Imperial authority accordingly commanded, that the French Ambassador or Consul should never hereafter oppose or intermeddle herein, but in future act conformably to the tenor of the present Capitulation.

ADDITIONAL.*Consuls.—Navigation of Merchants of Spain, Portugal, &c., under British Flag.*

After which, another Ambassador arrived from the said Queen, with the gifts and presents sent by Her, which being graciously accepted, the said Ambassador represented that the Queen desired that certain other privileges might be added to the Imperial Capitulations, whereof he furnished a list, one of which was, that certain Capitulations having been granted in the days of our grandfather, of happy memory (whose tomb be ever blessed !) to the end that the merchants of Spain, Portugal, Ancona, Sicily, Florence,

Catalonia, Flanders, and all other merchant-strangers, might go and come to our sacred dominions, and manage their trade, it was stipulated, in such Capitulations, that they should be at liberty to appoint Consuls; but each nation being unable to defray the charge and maintenance of a Consul, they were left at liberty to place themselves under the flag of any of the Kings in peace and amity with the Sublime Porte, and to have recourse to the protection of any of their Consuls, touching which privilege divers commands and Capitulations were repeatedly granted; and the said merchants having, by virtue thereof, chosen to navigate under the English flag, and to have recourse in our harbours to the protection of the English Consuls, the French Ambassadors contended that the said merchant-strangers were entitled to the privilege of their Capitulations, and forced them to have recourse in all ports to their Consuls, which being represented by the said nations to our august Tribunal, and their cause duly heard and decided, they were, for a second time, left to their free choice, when again having recourse to the protection of the English Ambassadors and Consuls, they were continually molested and opposed by the French Ambassador, which being represented by the English, with a request that we would not accept the Articles added to the French Capitulations respecting the nations of merchant-strangers, but that it should be again inserted in the Capitulations, that the said Nations should, in the manner described, have recourse to the protection of the English Consuls, and that hereafter they should never be vexed or molested by the French on this point, it was, by the Imperial authority, accordingly commanded that the merchants of the countries aforesaid should, in the manner prescribed, have recourse to the protection of the English Ambassadors and Consuls, conformably to the Imperial commands to them conceded, and which particular was again registered in the Imperial Capitulations, viz., that there should never be issued any commands contrary to the tenor of these Capitulations, which might tend to the prejudice or breach of our sincere friendship and good understanding; but that on such occasions the cause thereof should first be certified to the Ambassador of England residing at our Sublime Porte, in order to his answering and objecting to any thing that might tend to a breach of the Articles of Peace.

ARTICLE XXXIV.

Trade with Aleppo, Egypt, &c.—Duty of 3 per cent. to be paid.

That the English merchants, and other subjects of that nation, shall and may, according to their condition, trade at Aleppo, Egypt, and other ports of our sacred dominions, on paying (according to ancient custom) a duty of 3 per cent. on all their merchandize, without being bound to the disbursement of an asper more.

ARTICLE XXXV.

Payment of Consulage to British Ambassadors and Consuls.

That, in addition to the duty hitherto uniformly exacted on all merchandize, laden, imported, and transported in English ships, they shall also pay the whole of the consulage to the English Ambassadors and Consuls.

ARTICLE XXXVI.

Trade from Turkey with Russia, Persia, &c.

That the English merchants, and all others sailings under their flag, shall and may, freely and unrestrictedly, trade and purchase all sorts of merchandize (prohibited commodities alone excepted), and convey them, either by land or sea, or by way of the River Tanais, to the countries of Muscovy or Russia, and bring back from thence other merchandize into our sacred dominions, for the purposes of traffic, and also transport others to Persia and other conquered countries.

ARTICLE XXXVII.

Non-increase of Customs in Conquered Countries.

That such customs only shall be demanded on the said goods in the conquered countries as have always been received there, without anything more being exacted.

ARTICLE XXXVIII.

Vessels driven into Caffa, &c., by stress of Weather.

That should the ships bound for Constantinople be forced by contrary winds to put into Caffa, or any other place of those parts, and not be disposed to buy or sell any thing, no one shall presume forcibly to take out or seize any part of their merchandize, or give to the ships or crews any molestation, or obstruct the vessels that are bound to those ports; but our Governors shall always protect and defend them, and all their crews, goods, and effects, and not permit any damage or injury to be done to them: and should they be desirous of purchasing, with their own money, any provisions in the places where they may happen to be, or of hiring any carts or vessels (not before hired by others), for the transportation of their goods, no one shall hinder or obstruct them therein.

ARTICLE XXXIX.

Duty not to be paid on Merchandize not Sold.

That custom shall not be demanded or taken on the merchandize brought by them in their ships to Constantinople, or any other port of our sacred dominions, which they shall not, of their own free will, land with a view to sale.

ARTICLE XL.

Liberty of Vessels to depart after landing Goods and paying Duties.

That on their ships arriving at any port, and landing their goods and merchandizes, they shall and may, after having paid their duties, safely and securely depart, without experiencing any molestation or obstruction from any one.

ARTICLE XLI.

Duty not to be paid on Goods on Vessels calling at Turkish Ports for Turkish Passengers.

The English ships coming into our sacred dominions, and touching at the ports of Barbary and of the western coast, used oftentimes to take on board pilgrims and other Turkish passengers, with the intention of landing them at Alexandria, and other ports of our sacred dominions; on their arrival at which ports the Commandants and Governors demanded customs of them on the whole of their goods before they were landed, by reason of which outrage they have forbore receiving any more pilgrims: the more so as they were forced to take out of the ships that were bound to Constantinople the merchandize destined for other places, besides exacting the duties on those that were not landed: all English ships, therefore, bound to Constantinople, Alexandria, Tripoli of Syria, Scanderoon [Alexandretta], or other ports of our sacred dominions, shall in future be bound to pay duties, according to custom, on such goods only as they shall, of their own free will, land with a view to sale; and for such merchandize as they shall not discharge, no custom or duty shall be demanded of them, neither shall the least molestation or hindrance be given to them, but they shall and may freely transport them wherever they please.

ARTICLE XLII.

Criminal Suits.—Extraterritorial Jurisdiction.

That in case any Englishman, or other persons navigating under their flag, should happen to commit manslaughter, or any other crime, or be thereby involved in a lawsuit, the Governors in our

sacred dominions shall not proceed to the cause until the Ambassador or Consul shall be present, but they shall hear and decide it together, without their presuming to give them any the least molestation, by hearing it alone, contrary to the holy law and these Capitulations.

ARTICLE XLIII.

Payment of Consulage to British Ambassadors and Consuls.

That notwithstanding it is stipulated by the Imperial Capitulations that the merchandize laden on board all English ships proceeding to our sacred dominions shall moreover pay over consulage to the Ambassador or Consul for those goods on which customs are payable, certain Mahometan merchants, Sciots, Franks, and ill-disposed persons object to the payment thereof: wherefore it is hereby commanded, that all the merchandize, unto whomsoever belonging, which shall be laden on board their ships, and have been used to pay custom, shall in future pay the consulage, without any resistance or opposition.

ARTICLE XLIV.

Duty on Silks at Aleppo.

That the English and other merchants navigating under their flag, who trade to Aleppo, shall pay such customs and other duties on the Silks, brought and laden by them on board their ships, as are paid by the French and Venetians, and not one asper more.

ARTICLE XLV.

Privileges of Interpreters.

That the Ambassadors of the King of England, residing at the Sublime Porte, being the representatives of His Majesty, and the interpreters the representatives of the Ambassadors for such matters, therefore, as the latter shall translate or speak, or for whatever sealed letter or memorial they may convey to any place in the name of their Ambassador, it being found that that which they have interpreted or translated is a true interpretation of the words and answers of the Ambassadors or Consul, they shall be always free from all imputation or fault of punishment; and in case they shall commit any offence, our Judges and Governors shall not reprove, beat, or put any of the said Interpreters in prison, without the knowledge of the Ambassador or Consul.

ARTICLE XLVI.

Disposal of Property of deceased Interpreters.

That in case any of the Interpreters shall happen to die, if he be an Englishman proceeding from England, all his effects shall be taken possession of by the Ambassador or Consul; but should he be a subject of our dominions, they shall be delivered up to his next heir; and having no heir, they shall be confiscated by our fiscal officers.

And it was expressly commanded and ordained, that the above-mentioned Articles and privileges should in future be strictly observed and performed, according to the form and tenor thereof.

ADDITIONAL.

Non-operation in Ottoman Dominions of Turkish Laws repugnant to Capitulations.

Since which time, an Ambassador from the King of England came to the Sublime Porte, and represented that laws had been oftentimes promulgated contrary to the tenor of the sacred Capitulations, which being produced without their knowledge to our Judges, and the dates of such laws being posterior to those of our Capitulations, the latter could not be carried into execution; his Sovereign therefore wished that such laws might not be executed, but that the Imperial Capitulations should be always observed and maintained according to the form and tenor thereof; all which being represented to the Imperial Throne, such request was acceded to, and conformably thereto, it was expressly ordained and commanded, that all such laws as already had been, or should thereafter be promulgated contrary to the tenor of these Imperial Capitulations, should, when pleaded or quoted before our Judges never be admitted or carried into execution, but that the said Judges should ever obey and observe the tenor of the Imperial Capitulations. In the time of our glorious forefathers and most august predecessors, of happy memory, therefore, clear and distinct Capitulations were granted, which annulled such laws, and directed them to be taken from those who produced them.

After which Sultan Osman Chan having ascended the Imperial Throne, the King of England sent another Ambassador, with letters and presents, which were graciously accepted, requesting that the Imperial Capitulations granted in splendid and happy times, by the singular justice of our glorious forefathers, and by them confirmed and granted, might be renewed.

And some time after his august coronation, the King of England again sent unto the Sublime Porte one of his most distinguished and wise personages as his Ambassador, with a letter and presents, which were graciously accepted, professing and

demonstrating the most sincere friendship for the said Porte; and the said Ambassador having desired, on the part of the King, that the Capitulations granted in the happy time of our glorious forefathers and august predecessors, as also those granted by the aforesaid Sultan, might be renewed and confirmed, and certain important and necessary Articles added to the Imperial Capitulations, and that others already granted might be amended and more clearly expressed; such his request was acceded to, and the Imperial Capitulations granted in the time of our most glorious forefathers were confirmed, the Articles and stipulations renewed, and the conditions and Conventions observed. Whereupon express commands were given that the tenor of the sacred Capitulations should be strictly performed, and that no one should presume to contravene the same. And the said Ambassador having represented and notified to this Sublime Throne, that Governors and Commandants of many places had, contrary to the tenor of the Imperial Capitulations, molested and vexed with various inventions and innovations the English and other merchants, subjects of that nation, trading to these our sacred dominions, and desired that they might be prohibited from so doing, and some new Articles be added to the Imperial Capitulations, an Imperial order was accordingly granted, whereby it was expressly commanded that the Articles newly added should be for ever strictly executed, without any one ever presuming to violate the same.

ARTICLE XLVII.

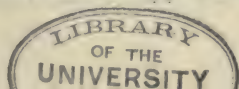
Corsairs of Barbary and Tunis.

That whereas the Corsairs of Tunis and Barbary having, contrary to the tenor of the Capitulations and our Imperial Licence, molested the merchants and other subjects of the King of England, as also those of other Kings in amity with the Sublime Porte, and plundered and pillaged their goods and property, it was expressly ordained and commanded, that the goods so plundered should be restored, and the captives released: and that if after such commands, the Tunisians and Algerines should contrary to the tenor of our Capitulations, again molest the said merchants, and pillage their goods and property, and not restore the same, but convey them to the countries and ports of our sacred dominions, and especially to Tunis, Barbary, Modon, or Coron, the Beglerbeys Governors, and Commandants of such places, should, in future, banish and punish them, and not permit them to sell the same.

ARTICLE XLVIII.

Duty on Silks at Aleppo.

That it is written and registered in the Capitulations, that the Governors and officers of Aleppo and other ports of our sacred



dominions, should not, contrary to the tenor of the said Capitulations, forcibly take from the English merchants any money for their Silk, under the pretence of custom or other duty, but that the said merchants should pay for the Silk by them purchased at Aleppo, the same as the French and Venetians do, and no more. Notwithstanding which, the Commandants of Aleppo have, under colour of customs and duty demanded $2\frac{1}{2}$ per cent. for their Silk, and thereby taken their money; wherefore we command that this matter be investigated and inquired into, in order that such money may be refunded to them by those who have taken the same; and for the future, the duty exacted from them shall be according to ancient custom, and as the Venetians and French were accustomed to pay, so that not a single asper more be taken by any new imposition;

ARTICLE XLIX.

Non-payment of Export Duty a second time.

That the merchants of the aforesaid nation, resident at Galata, buy and receive divers goods, wares, and merchandizes, and after having paid to our customer the duties thereon, and received a *tescaré*, ascertaining their having paid the same, preparatory to loading such goods in due time on board their ships, it sometimes happens that in the interim the customer either dies, or is removed from his station, and his successor will not accept the said *tescaré*, but demands a fresh duty from the said merchants, thereby molesting them in various ways; whereof we do command, that on its really and truly appearing that they have once paid the duties on the goods purchased, the customer shall receive the said *tescaré* without demanding any fresh duty.

ARTICLE L.

Non-payment of Duties on re-exportation of Camlets, Mohair, Silk, &c.

That the merchants of the aforesaid nation, after having once paid the duties, and received the *tescaré*, for the camlets, mohair, silk, and other merchandize, purchased by them at Angora, and transported to Constantinople and other ports of our sacred dominions, and having deposited such goods in their own warehouses, have been again applied to for duties thereon; we do therefore hereby command that they shall no longer be molested or vexed on that head, but that when the said merchants shall be desirous of loading such goods on board their ships, and on its appearing by the *tescaré* that they have already paid the duties thereon, no fresh custom or duty shall be demanded for the said goods, provided that the said merchants do not blend or intermix the goods which have not paid custom with those which have.

ARTICLE LI.

Non-payment of Duties a second time on landing such Goods at Smyrna, &c.

That the merchants of the aforesaid nation, having once paid the customs on the merchandize imported into Constantinople, and other ports of our sacred dominions, and on those exported therefrom, as silks, camlets, and other goods, and being unable to sell the said goods, are under the necessity of transporting them to Smyrna, Scio, and other ports; on their arrival there the Governors and Custom-house Officers of such ports shall always accept their *tescarés*, and forbear exacting any further duty on the said merchandize.

ARTICLE LII.

Mastaria Duty.

That for the goods which the merchants of the nation aforesaid shall bring to Constantinople, and other ports of our sacred dominions, and for those they shall export from the said places, the Mastariagi of Galata and Constantinople shall take their *mastaria*, according to the old canon and ancient usage; that is to say, for those merchandizes only whereon it was usually paid; but for such merchandizes as have not been accustomed to pay the same, nothing shall be taken contrary to the said canon, neither shall any innovations be made in future with regard to English merchandize, nor shall one asper more be taken than is warranted by custom.

ARTICLE LIII.

Duties on Cloths, Kerseys, Spice, Tin, Lead, &c.

That the merchants of the aforesaid nation shall and may always come and go into the ports and harbours of our sacred dominions, and trade, without experiencing any obstacle from any one, with the cloths, kerseys, spice, tin, lead, and other merchandize they may bring, and, with the exception of prohibited goods, shall and may, in like manner, buy and export all sorts of merchandize, without any one presuming to prohibit or molest them: and our customers and other officers, after having received the duties thereon, according to ancient custom and the tenor of these sacred Capitulations, shall not demand of them any thing more, touching which point certain clear and distinct Capitulations were granted, to the end that the Beglerbeys and other Commandants, our subjects, as also the Commandants and Lieutenants of our harbours might always act in conformity to these our Imperial commands, and let nothing be done contrary thereto.

ADDITIONAL.

Removal of Goods before fixation of duty.—Duties demanded a second time if transhipped.—Trials in absence of Ambassador or Consul.

—Duties on Sequins and Piastres.—Excessive Duties on Silks.—Waiters on board Ship.—Goods overvalued.

After which, in the time of our uncle, deceased, blessed and translated to Paradise, Sultan Murad Chan (whose tomb be ever resplendent!) the aforesaid King of England sent Sir Sackville Crow, Baronet, as his Ambassador, with a letter and presents, which were graciously accepted: but the time of his embassy being expired, another Ambassador, named Sir Thomas Bendish, arrived to reside at the Porte in his stead, with his presents, and a courteous letter, professing the utmost friendship, devotion and sincerity, and the said Ambassador having brought the Capitulations formerly granted to the English, and requested they might be renewed according to custom, he represented the damage and injury sustained by the English, contrary to the tenor of various Articles of the Capitulations, viz.:—

That before the English merchants repaired to the Custom-house some one went on board the ship, and forcibly took out their goods; and before any price could be fixed on the best and most valuable articles, or the accounts made out, he took and carried them away; and that the said merchants having punctually paid the duties thereon in one port, and being desirous of transporting the same goods to another port, the customer detained them, and would not suffer them to depart until they had paid the duties a second time: and whereas it is specified in the Capitulations (Article XXIV), that in all suits wherein the English are parties, our Judges are not to hear or decide the same, unless their Ambassador or Consul be present; notwithstanding which, our Judges, without the knowledge of their Ambassador, have proceeded to imprison and exact presents from the English merchants, and other subjects of that nation, besides being guilty of other oppressions: and whereas it is further ordered in the Capitulations (Article XXI), that no duties shall be taken on such Sequins and Piastres as by the English merchants shall be brought in, or carried out of, our Imperial dominions, and that a duty of 3 per cent. only shall be demanded on their goods (Article XXXIV); notwithstanding which, the customers have exacted duties on the sequins and dollars, and demanded more duties than were due on the silk brought by them, besides demanding 6 per cent. on the goods transported from Alexandria to Aleppo, which abuses were heretofore rectified by an express Hatti-Sheriff; notwithstanding which, the English merchants still continued to experience some molestation, by the customers valuing their goods at more than they were worth, so that although it was the custom to receive but 3 per cent. only, the latter exacted 6 per cent. from them, and the servants of the Custom-house, under colour of certain petty charges, took from them various sums of money, and that a greater number of waiters

were put on board their ships than usual, the expenses attending which were a great burthen to the merchants and masters of ships who sustained it :

That the customers, desirous to value goods at more than their worth, were not satisfied with merchants paying them duties on the said goods at the rate of 3 per cent., but interposed numerous difficulties and obstacles :

The said Ambassador having requested, therefore, that such abuses might be rectified, and the laws of the Imperial Capitulations be duly executed, his request was represented to the Imperial Throne, when We were graciously pleased to order :

ARTICLE LIV.

Duty on landing of Goods to be 3 per cent.

That the English merchants having once paid the duties on their merchandize, at the rate of 3 per cent., and taken them out of their ship, no one shall demand or exact from them any thing more without their consent : and it was moreover expressly commanded, that the English merchants should not be molested or vexed in manner aforesaid, contrary to the Articles of the Capitulations.

ADDITIONAL.

Capitulations.

Since which, another Ambassador of the King of England, Sir Heneage Finch, Knight, Earl of Winchelsea, Viscount Maidstone, and Baron Fitzherbert of Eastwell, arrived to reside at the Sublime Porte, with presents and a courteous letter, demonstrating his sincere friendship, and professing the utmost cordiality and devotion ; which Ambassador also presented the Capitulations, and requested that the most necessary and important Articles thereof might be renewed and confirmed, according to custom, which request was graciously acceded to, and the desired privileges granted to him, viz. :

ARTICLE LV.

Non-detention or Search of Vessels at Sea.

That the Imperial fleet, galleys, and other vessels, departing from our sacred dominions, and falling in with English ships at sea, shall in no wise molest or detain them, nor take from them any thing whatsoever, but always show to one another good friendship, without occasioning them the least damage or injury ; and notwithstanding it is thus declared in the Imperial Capitulations (Article XVII), the said English ships are still molested by the ships

of the Imperial fleet, and by the beys and captains who navigate the seas, as also by those of Algiers, Tunis, and Barbary; who, falling in with them whilst sailing from one port to another, detain them for the mere purpose of plunder, under colour of searching for enemy's property, and under that pretence prevent them from prosecuting their voyage; now We do hereby expressly command, that the provisions of the old canon be executed at the castles and in the ports only, and nowhere else, and that they shall no longer be liable to any further search or exaction at sea, under colour of search or examination.

ARTICLE LVI.

Non-delay of Teskérés for Payment of Duty.—Non-payment of Duty on second time of Exportation.

That the said Ambassador having represented that our customers, after having been fully paid the proper duties by the English merchants on their goods, delayed, contrary to the Articles and Stipulations of the Capitulations (Article L), to give them the *teskérés* of the goods for which they had already received the duty, with the sole view of oppressing and doing them injustice: We do hereby strictly command that the said customers do never more delay granting them the *teskérés*, and the goods whereon they have once paid the duty being transported to another port, in consequence of no opportunity of sale having occurred in the former port, entire credit shall be given to the *teskérés* ascertaining the payment already made, agreeably to the Capitulations granted to them, and no molestation shall be given to them, nor any new duty demanded.

ARTICLE LVII.

Uniform Duty of 3 per cent. on Goods imported in British Ships.

That notwithstanding it is stipulated by the Capitulations (Articles XXXIV and LIV) that the English merchants, and other subjects of that nation, shall and may, according to their rank and condition, trade to Aleppo, Egypt, and other parts of our Imperial dominions, and for all their goods, wares, and merchandize, pay a duty of 3 per cent. only, and nothing more, according to ancient custom, the customers having molested the English merchants, with a view to oppress them and the subjects of that nation, on their arrival with their goods laden on board their ships, whether conveyed by sea or land, at our ports and harbours, under pretence of the goods so brought by them not belonging to the English; and that for goods brought from England they demanded 3 per cent. only; but for those brought by them from Venice and other ports, they exacted more: wherefore, on this point, let the Imperial Capitulations granted in former times be observed, and our Governors and Officers in no wise permit or consent to the same being infringed.

ARTICLE LVIII.

Debtors.—Non-molestation of Merchants for Payment of Bills drawn upon, but not accepted by them.

That whereas it is specified in the Capitulations (Article VIII), that in case an Englishman should become a debtor or surety, and run away or fail, the debt shall be demanded of the debtor: and if the creditor be not in the possession of some legal document given by the surety, he shall not be arrested, nor such debt be demanded of him; should an English merchant, resident in another country, with the sole view of freeing himself from the payment of a debt, draw a bill of exchange upon another merchant, living in Turkey, and the person to whom the same is payable, being a man of power and authority, should molest such merchant who had contracted no debt to the drawer, and oppress him, contrary to law and the sacred Capitulations, by contending that the bill was drawn upon him, and that he was bound to pay the debt of the other merchant; now, We do hereby expressly command, that no such molestation be given in future; but if such merchant shall accept the bill, they shall proceed in manner and form therein pointed out; but should he refuse to accept it, he shall be liable to no further trouble.

ARTICLE LIX.

Exemption of Interpreters from Contributions and Impositions.—Property of deceased Interpreters.

That the Interpreters of the English Ambassadors, having always been free and exempt from all contributions and impositions whatever, respect shall in future be paid to the Articles of the Capitulations (Article XLVI) stipulated in ancient times, without the fiscal officers intermeddling with the effects of any of the Interpreters who may happen to die, which effect shall be distributed amongst his heirs.

ARTICLE LX.

Ten Servants allowed to British Ambassador.—Exemption from Impositions, &c.

That the aforesaid King, having been a true friend of our Sublime Porte, his Ambassador, who resides here, shall be allowed ten servants, of any nation whatsoever, who shall be exempt from impositions, and in no manner molested.

ARTICLE LXI.

Property of Englishmen who turn Turks.

That if any Englishmen should turn Turk, and it should be represented and proved, that besides his own goods, he has in his

hands any property belonging to another person in England, such property shall be taken from him and delivered up to the Ambassador or Consul, that they may convey the same to the owner thereof.

ADDITIONAL.

The Ambassador of the aforesaid King, who resided in our Sublime Porte, being dead, Sir John Finch, Knight, a prudent man, was sent as Ambassador to the Imperial Throne, and to reside at our Sublime Porte, with a letter of presents, which, on arrival and presentation to our glorious and Imperial presence, were graciously accepted; and the said Ambassador, having brought with him the sacred Capitulations heretofore granted by our August Person, and represented to Us, as on the part of the aforesaid King. His Majesty's desire that they should be renewed and confirmed, according to custom, and certain new Articles added to them; to which request We most graciously acceded, by commanding that such additional Articles be registered in the Imperial Capitulations, of which one was the Imperial Command, to which was affixed to the hatti-sheriff, that is, the head of our deceased glorious father, absolved by God, Sultan Ibrahim (whose soul rests in glory and divine memory!) in the year 1053—to wit:

ARTICLE LXII.

Duties at Alexandria.

That for every piece of cloth, called Londra, which from ancient times, was always brought by the English ships to Alexandria, there should be taken in that place a duty of 40 paras, for every piece of kersey 6 paras, for every bale of hare-skins 6 paras, and for every quintal of tin and lead, Damascus weight, 57½ paras.

ARTICLE LXIII.

Duty on Goods transported from Alexandria to Aleppo.

That on afterwards transporting the said goods from Alexandria to Aleppo, there should be demanded, by the Custom-house officers of Aleppo, for every piece of Londra 80 paras, for a piece of kersey, 8 paras and 2 aspers, for every bundle of hare-skins 8 paras and 2 aspers, and for every Aleppo weight of tin and lead 1 para.

ARTICLE LXIV.

Transport Duties on Goods purchased at Aleppo.

That on the goods purchased by the aforesaid nation at Aleppo, there should be paid for transport duty, on every bale of unbleached

linen, cordovans, and chorasani-hindi, two dollars and a half, for every bale of cotton yarn one dollar and a quarter, for every bale of galls one quarter, for every bale of silk ten osmans, and for rhubarb and other trifles, and various sorts of drugs, according to a valuation to be made by the appraiser, there should be taken a duty of 3 per cent.

ARTICLE LXV.

Duties on their Transport to, and Shipment from, Alexandria.

That on carrying the said goods to Alexandria, and there loading them on board their ships, there should be taken for transport duty, on every bale of unbleached linen and cordovans one dollar and a half, for every bale of chorasani-hindi and cotton yarn three quarters, for every bale of galls one quarter, and for rhubarb and other trifles, and various sorts of drugs, after a valuation made thereof, there should be taken three quarters of a piastre; and that for the future no demand whatever to the contrary should be submitted to.

ARTICLE LXVI.

Non-obedience to contrary commands.

That all commands issued by the Chamber contrary to the above-mentioned Articles should not be obeyed; but for the future, everything be observed conformably to the tenor of the Capitulations and the Imperial Signet.

ARTICLE LXVII.

Duty of 3 per cent. on all Goods Imported and Exported.

It being stipulated by the Capitulations (Articles XXXIV, LIV, and LVII) that the English merchants shall pay a duty of 3 per cent. on all goods by them imported and exported, without being bound to pay an asper more; and disputes having arisen with the customers on this head, they shall continue to pay duty as heretofore paid by them at the rate of 3 per cent. only, neither more nor less.

ARTICLE LXVIII.

Duties on Sale of English, Dutch, and other Cloths at Constantinople and Smyrna.

That for the Londra and other cloths manufactured in England, whether fine or coarse, and of whatsoever price, imported by them into the ports of Constantinople and Galata, there shall be taken, according to the ancient canons, and as they have always hitherto

paid, 144 aspers, computing the dollar at 80 aspers, and the leone at 70, and nothing more shall be exacted from them; but the cloths of Holland and other countries, viz., serges, Londrina scarlets, and other cloths, shall pay, for the future, that which hitherto has been the accustomed duty; and at Smyrna likewise shall be paid, according to ancient custom, calculated in dollars and leones, for every piece of London or other cloth of English fabric, whether fine or coarse, 120 aspers, without an asper more being demanded, or any innovation being made therein.

ARTICLE LXIX.

Civil Suits.—Release of English Debtors on Bail.

It being registered in the Imperial Capitulations that all suits wherein the English are parties, and exceeding the sum of 4,000 aspers, shall be heard in our Sublime Porte, and nowhere else:

That if at any time the Commanders and Governors should arrest any English merchant, or other Englishman, on the point of departure by any ship, by reason of any debt or demand upon him, if the Consul of the place will give bail for him, by offering himself as surety until such suit shall be decided in our Imperial Divan, such person so arrested shall be released, and not imprisoned or prevented from prosecuting his voyage, and they who claim anything from him shall present themselves in our Imperial Divan, and there submit their claims, in order that the Ambassador may furnish an answer thereto. With regard to those for whom the Consul shall not have given bail, the Commandant may act as he shall think proper.

ARTICLE LXX.

Anchorage Duty.

That all English ships coming from the ports of Constantinople, Alexandria, Smyrna, Cyprus, and other ports of our sacred dominions, shall pay 300 aspers for anchorage duty, without an asper more being demanded from them.

ARTICLE LXXI.

Property of Englishmen who turn Turks.

That should any Englishman coming with merchandize turn Turk, and the goods so imported by him be proved to belong to merchants of his own country, from whom he had taken them, the whole shall be detained, with the ready money, and delivered up to the Ambassador, in order to his transmitting the same to the right owners, without any of our judges or officers interposing any obstacle or hindrance thereto.

ARTICLE LXXII.

Duties on certain Articles purchased at Angora and Beghbazar for Exportation.

That no molestation shall be given to any of the aforesaid nation, buying camlets, mohairs, or grogram yarn, at Angora and Beghbazar, and desirous of exporting the same from thence, after having paid the duty of 3 per cent. by any demand of customs for the exportation thereof, neither shall one asper more be demanded of them.

ARTICLE LXXIII.

Civil Suits.—Payment for the assistance of a Chiaux.

That should any suit be instituted by an English merchant for the amount of a debt, and the same be recovered by means of the assistance of a Chiaux, he shall pay him out of the money recovered 2 per cent., and what is usually paid for fees in the Mehkemé, or Court of Justice, and not an asper more.

ARTICLE LXXIV.

Purchase by King of England of Figs and Raisins at Smyrna, Salonica, &c.

That the King, having always been a friend to the Sublime Porte, out of regard to such good friendship, His Majesty shall and may, with his own money, purchase for his own kitchen, at Smyrna, Salonica, or any other port of our sacred dominions, in fertile and abundant years, and not in times of dearth or scarcity, two cargoes of figs and raisins, and after having paid a duty of 3 per cent. thereon, no obstacle or hindrance shall be given thereto.

ARTICLE LXXV.

Exemption from Custom or Scale Duty on certain Silks purchased

That it being represented to Us that the English merchants have been accustomed hitherto to pay no custom or scale duty, either on the Silks bought by them at Brussa and Constantinople, or on those which come from Persia and Georgia, and are purchased by them at Smyrna from the Armenians; if such usage or custom really exists, and the same be not prejudicial to the Empire, such duty shall not be paid in future; and the said Ambassador having requested that the foregoing Articles might be duly respected and added to the Imperial Capitulations, his request was acceded to; therefore in the same manner as the Capitulations were heretofore conceded by Our Imperial hatt-i-sheriff, so are they now in like

manner renewed by Our Imperial command; wherefore, in conformity to the Imperial Signet, We have again granted these sacred Capitulations, which We command to be observed, so long as the said King shall continue to maintain that good friendship and understanding with our Sublime Porte, which was maintained in the happy time of our glorious ancestors, which friendship We, on our part, accept; and adhering to these Articles and stipulations, We do hereby promise and swear, by the one Omnipotent God, the Creator of heaven and earth, and of all creatures, that We will permit nothing to be done or transacted contrary to the tenor of the Articles and Stipulations heretofore made, and these Imperial Capitulations; and accordingly every one is to yield implicit faith and obedience to this our Imperial Signet, affixed in the middle of the month of Gemaziel, in the year 1086.*

No. 184.

ACT OF THE SUBLIME PORTE, GRANTING TO ENGLISH VESSELS
THE PRIVILEGES OF COMMERCE IN THE BLACK SEA.

October 30, 1799.

*Navigation of the Black Sea.—Most-favoured-nation
Treatment.*

(Translation.)

THE friendship and concord which, since time immemorial, subsist between the Sublime Porte of steadfast glory, and the Court of England, being now happily improved into an alliance established upon the firmest basis of truth and sincerity; and it being beyond doubt that, in addition to the numerous advantages reaped hitherto by both countries from the new ties so strongly formed between the two Courts, many more salutary effects will, by the pleasure of God, be witnessed in future.

Mature attention has, therefore, been paid to the representations, relative to the permission being graciously granted for the navigation of English merchant-vessels in the Back Sea, which have been of late made, both verbally and in writing, by the English Minister at this Court, Mr. Spencer Smith, our most esteemed friend, in conformity to his instructions and consistently

* Corresponding with the year of our Lord 1675.

with the confidence he is ever ambitious to manifest, in the inviolable attachment, which the Sublime Porte, of everlasting duration, professes towards his Court.

In fact, this being a means whereby to evince, in a still farther degree, the attachment, the regard, and fidelity which are professed towards the Court of Great Britain by the Sublime Porte, of steadfast glory, whose adherence to the obligations of Treaties, as well as faithful attention to fulfil the duties of friendship, are unexceptionable; and it being sincerely hoped, that many more salutary effects will henceforward accrue from the close connection so firmly contracted between the two Courts; a cordial grant of the above point is hereby made, as an act springing from the Sovereign breast of His Imperial Majesty himself.

This privilege shall take effect with respect to the merchant-vessels of Great Britain, exactly on the same footing observed with those of the most favoured Powers; it being understood that its execution be proceeded upon, immediately after the burthen of the said vessels, the mode of their transit through the Straits of Constantinople, and such other arrangements as appertain to this matter, shall have been settled in proper detail by friendly communication with the Minister before named; and that the same Minister, our friend, may notify this valuable concession to his Court, the present memorial is written, and delivered to him by express command.

1 of Gemaziel Ahkir, 1214 (30th October, 1799).

Certified,

SPENCER SMITH,

His Majesty's Minister Plenipotentiary.

No. 185.

OFFICIAL NOTE DELIVERED BY THE REIS EFFENDI TO ALEXANDER
STRATTON, ESQ.

July 23, 1802.

Most-favoured-nation Treatment conferred on British Merchant-ships navigating the Black Sea.

(Translation.)

It behoves the character of true friendship and sincere regard to promote with cheerfulness all such affairs and objects as may be

reciprocally useful, and may have a rank among the salutary fruits of those steady bonds of alliance and perfect good harmony which happily subsist between the Sublime Porte and the Court of Great Britain; and as permission has heretofore been granted for the English merchant-ships to navigate in the Black Sea* for the purposes of Trade, the same having been a voluntary trait of His Imperial Majesty's own gracious heart, as more amply appears by an official Note presented to our friend the English Minister residing at the Sublime Porte, dated 3 Gemaziel Ahkir 1214—this present “takrir” (official Note) is issued; the Imperial Ottoman Court hereby engaging that the same treatment shall be observed towards the English merchant-ships coming to that sea, as is offered to the ships of Powers most favoured by the Sublime Porte, on the score of that navigation.

The 23 Rebiul Evvel, 1217 (23rd July, 1802).

No. 186.

TREATY BETWEEN GREAT BRITAIN AND TURKEY.

Concluded at the Dardanelles, January 5, 1809.

Au Nom de Dieu Très-Miséricordieux.

L'OBJET de cet Instrument fidèle et authentique est ce qui suit:—

Nonobstant les apparences d'une mésintelligence survenue à la

* Extract from General Treaty of Peace between Great Britain and Russia of 30th March, 1856, Articles XI and XII:—

“Art. XI. The Black Sea is *neutralized*.* its waters and its ports thrown open to the Mercantile Marine of every nation.

“Art. XII. Free from any impediment, the Commerce in the ports and waters of the Black Sea shall be subject only to regulations of health, customs, and police, framed in a spirit favourable to the development of commercial transactions.

“In order to afford to the commercial and maritime interests of every nation the security which is desired, Russia and the Sublime Porte will admit Consuls into their ports situated upon the coast of the Black Sea, in conformity with the principals of international law.”

Extract from the General Treaty between Great Britain and Russia of 13th March, 1871, Article III:—

“The Black Sea remains open, as heretofore, to the Mercantile Marine of all nations.”

* Abrogated by Treaty of 13th March, 1871.

suite des événemens du tems entre la Cour de la Grande Bretagne et la Sublime Porte Ottomane, ces deux Puissances, également animées du désir sincère de rétablir l'ancienne amitié qui subsistait entre elles, ont nommé pour cet effet leurs Plénipotentiaires respectifs, savoir: Sa Majesté le Très Auguste et Très Honoré George III, Roi (Padishah) du Royaume Uni de la Grande Bretagne et de l'Irlande, a nommé pour Son Plénipotentiaire Robert Adair, Ecuyer, Membre du Parlement Royal de la Grande Bretagne; et Sa Majesté le Très Majestueux, Très Puissant, et Très Magnifique Sultan Mahmoud Han II, Empereur des Ottomans, a nommé pour Son Plénipotentiaire, Seyde, Mehmed-Emin-Vahid Effendi, Directeur et Inspecteur du Département appelé *Mercoufat*, et revêtu du rang de *Nichangi* du Divan Impérial; lesquels, s'étant réciproquement communiqués leurs pleins-pouvoirs, ont, après plusieurs conférences et discussions, conclu la paix également désirée des deux Puissances, et sont convenus des Articles suivans:—

ARTICLE I.

Cessation of Hostilities.—Exchange of Prisoners.

Du moment de la signature du présent Traité, tout acte d'hostilité doit cesser entre l'Angleterre et la Turquie; et les prisonniers de part et d'autre doivent, en vertu de cette heureuse paix, être échangés sans hésitation, en trente-un jours après l'époque de la signature de ce Traité, ou plus tôt si faire se pourra.

ARTICLE II.

Restoration of Turkish Fortresses.

S'il se trouvera des places appartenantes à la Sublime Porte dans l'occupation de la Grande Bretagne, elles devront être restituées, et remises à la Sublime Porte, avec tous les canons, munitions et autres effets, dans la même condition où elles se trouvaient lors de leur occupation par l'Angleterre, et cette restitution devra se faire dans l'espace de trente-un jours après la signature de ce présent Traité.

ARTICLE III.

Restoration of Sequestered Property in respective Dominions.

S'il y aurait des effets et propriétés appartenans aux négocians Anglais en séquestre sous la juridiction de la Sublime Porte, ils doivent être entièrement rendus et remis aux propriétaires; et pareillement s'il y aurait des effets, propriétés et vaisseaux appartenans aux négocians et sujets de la Sublime Porte en séquestre à Malte, ou dans les autres îles et états de Sa Majesté Britannique, ils doivent également être entièrement rendus et remis à leurs propriétaires.

ARTICLE IV.

Confirmation of Capitulations of 1675, and of Act of October 30, 1799, relating to Commerce of the Black Sea.

Le Traité des Capitulations stipulé en l'année Turque 1086, à la mi de la lune Gemaziel Ahkir, ainsi que l'Acte relatif au Commerce de la Mer Noire, et les autres privilèges (*Imtiazat*) également établis par des Actes à des époques subséquentes, doivent être observés et maintenus comme par le passé comme s'ils n'avaient souffert aucune interruption.

ARTICLE V.

Reciprocal Friendly Treatment of Turkish Subjects and their Commerce in British Dominions.

En vertu du bon traitement et de la faveur accordée par la Sublime Porte aux négocians Anglais, à l'égard de leurs marchandises et propriétés, et par rapport à tout ce dont leurs vaisseaux ont besoin, ainsi que dans tous les objets tendant à faciliter leur commerce, l'Angleterre accordera réciproquement sa pleine faveur et un traitement amical aux pavillons, sujets et négocians de la Sublime Porte, qui dorénavant fréquenteront les états de Sa Majesté Britannique pour y exercer le commerce.

ARTICLE VI.

Customs Tariff.

Le tarif de la douane qui a été fixé à Constantinople en dernier lieu, sur l'ancien taux de 3 pour cent. et spécialement l'Article qui regarde le commerce intérieur, seront observés pour toujours, ainsi qu'ils ont été réglés, c'est à quoi l'Angleterre promet de se conformer.

ARTICLE VII.

Privileges of Ambassadors.

Les Ambassadeurs de Sa Majesté le Roi de la Grande Bretagne jouiront pleinement des honneurs dont jouissent les Ambassadeurs des autres nations près la Sublime Porte; et réciproquement les Ambassadeurs de la Sublime Porte près la Cour de Londres jouiront pleinement de tous les honneurs qui seront accordés aux Ambassadeurs de la Grande Bretagne.

ARTICLE VIII.

Appointment and Privileges of Consuls.

Il sera permis de nommer des *Shahbenders* (Consuls) à Malte, et dans les Etats de Sa Majesté Britannique où il sera nécessaire,

pour gérer et inspecter les affaires et les intérêts des négocians de la Sublime Porte; et les mêmes traitemens et immunités qui sont pratiqués envers les Consuls d'Angleterre résidans dans les Etats Ottomans, seront exactement observés envers les *Shahbenders* de la Sublime Porte.

ARTICLE IX.

*Class of Persons to whom "Barat" is to be granted as Dragomans.—
Turkish Subjects not to be appointed British Consuls.*

Les Ambassadeurs et Consuls d'Angleterre pourront selon l'usage se servir des Drogmans dont ils ont besoin : mais comme il a été arrêté ci-devant d'un commun accord, que la Sublime Porte n'accordera pas de "*Barat*" de Drogman en faveur d'individus qui n'exerceront point cette fonction dans le lieu de leur destination, il est convenu, conformément à ce principe, que dorénavant il ne sera accordé de "*Barat*" à personne de la classe des artisans et banquiers, ni à quiconque tiendra de boutique et de fabrique dans les marchés publics, ou qui prêtera la main aux affaires de cette nature; et il ne sera nommé non plus des Consuls Anglais d'entre les sujets de la Sublime Porte.

ARTICLE X.

English Patents of Protection not to be granted to Turkish Subjects nor Passports granted to them without Permission of the Porte.

La patente de protection Anglaise ne sera accordée à personne d'entre les dépendans et négocians sujets de la Sublime Porte, et il ne sera livré à ceux-ci aucun Passeport* de la part des Ambassadeurs ou Consuls sans la permission préalable de la Sublime Port.

ARTICLE XI.

Passage of the Dardanelles and Bosphorus by Vessels of War.

Comme il a été de tout tems défendu aux vaisseaux de guerre d'entrer dans le canal de Constantinople, savoir, dans le Détroit des Dardanelles, et dans celui de la Mer Noire, et comme cette ancienne règle de l'Empire Ottoman doit être de même observé dorénavant en tems de paix vis-à-vis de toute Puissance quelconque, la Cour Britannique promet aussi de se conformer à ce principe.

ARTICLE XII.

Ratifications.

Les ratifications du présent Traité de Paix entre les Hautes Parties Contractantes seront échangées à Constantinople dans

* Passeport de protection.

l'espace de quatre-vingt-onze jours depuis la date du présent Traité, ou plutôt, si faire se pourra. En foi de quoi, et afin que la ratification des douze Articles de ce Traité qui vient d'être heureusement conclu avec l'assistance de Dieu, et en vertu de la sincérité et loyauté des Deux Parties, puisse être échangée, Moi, Plénipotentiaire de la Sublime Porte, ai, en vertu de mes Pleins-pouvoirs, signé et cacheté cet Instrument, lequel j'ai remis au Plénipotentiaire Anglais, en échange contre un autre Instrument tout à fait conforme, écrit en langue Française, avec sa traduction, qui m'a été remise de sa part, conformément à ses Pleins-pouvoirs.

Fait près des Châteaux des Dardanelles, le 5 Janvier, 1809, qui correspond à l'an de l'Hégire 1223, le 19 de la Lune *Zilkaade*.

(LS.) SEYD MEHMED EMIN VAHID EFFENDI.

(LS.) ROBERT ADAIR.

UNITED STATES.

No. 187.

CONVENTION OF COMMERCE BETWEEN GREAT BRITAIN AND THE
UNITED STATES.*Signed at London, July 3, 1815.*

HIS Britannick Majesty and the United States of America, being desirous, by a Convention, to regulate the commerce and navigation between their respective countries, territories, and people, in such a manner as to render the same reciprocally beneficial and satisfactory, have respectively named Plenipotentiaries, and given them full powers to treat of and conclude such Convention; that is to say, His Royal Highness the Prince Regent, acting, in the name and on the behalf of His Majesty, has named for His Plenipotentiaries the Right Honourable Frederick John Robinson, Vice-President of the Committee of Privy Council for Trade and Plantations, Joint Paymaster of His Majesty's Forces, and a Member of the Imperial Parliament; Henry Goulburn, Esq., a Member of the Imperial Parliament, and Under-Secretary of State; and William Adams, Esq., Doctor of Civil Laws: and the President of the United States, by and with the consent of the Senate thereof, hath appointed for their Plenipotentiaries John Quincy Adams, Henry Clay, and Albert Gallatin, citizens of the United States; and the said Plenipotentiaries having mutually produced and shown their said full powers, and exchanged copies of the same, have agreed on and concluded the following Articles, viz. :—

ARTICLE I.

Reciprocal Freedom of Commerce and Navigation between British Territories in Europe and United States.—Residence.—Hiring of Houses, Warehouses, &c.

There shall be between all the territories of His Britannick Majesty in Europe, and the territories of the United States, a reciprocal liberty of commerce. The inhabitants of the two countries respectively shall have liberty freely and securely to

come with their ships and cargoes to all such places, ports, and rivers in the territories aforesaid, to which other foreigners are permitted to come, to enter into the same, and to remain and reside in any parts of the said territories respectively; also to hire and occupy houses and warehouses for the purposes of their commerce; and generally the merchants and traders of each nation respectively shall enjoy the most complete protection and security for their commerce; but subject always to the laws and statutes of the two countries respectively.

ARTICLE II.

Imports and Exports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No higher or other duties shall be imposed on the importation into the territories of His Britannick Majesty in Europe, of any articles the growth, produce, or manufacture, of the United States, and no higher or other duties shall be imposed on the importation into the United States, of any articles the growth, produce, or manufacture of His Britannick Majesty's territories in Europe, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country, nor shall any higher or other duties or charges be imposed in either of the two countries on the exportation of any articles to His Britannick Majesty's territories in Europe or to the United States, respectively, than such as are payable on the exportation of the like articles, to any other foreign country; nor shall any prohibition be imposed upon the exportation or importation of any articles, the growth, produce, or manufacture of the United States, or of His Britannick Majesty's territories in Europe, or to or from the said territories of His Britannick Majesty in Europe, to or from the said United States, which shall not equally extend to all other nations.

Duties on Vessels.—National Treatment.

No higher or other duties or charges shall be imposed in any of the ports of the United States on British vessels, than those payable in the same ports by vessels of the United States; nor in the ports of any of His Britannick Majesty's territories in Europe on the vessels of the United States, than shall be payable in the same ports on British vessels.

Imports in Vessels of either Country.—National Treatment.

The same duties shall be paid on the importation into the United States of any articles the growth, produce, or manufacture of His Britannick Majesty's territories in Europe, whether such importation shall be in vessels of the United States or in British vessels, and the same duties shall be paid on the importation into the ports of any of His Britannick Majesty's territories in Europe, of any article, the growth, produce, or manufacture of the United States, whether such importation shall be in British vessels or in vessels of the United States.

Exports in Vessels of either Country.—National Treatment.

The same duties shall be paid, and the same bounties allowed, on the exportation of any articles, the growth, produce, or manufacture of His Britannick Majesty's territories in Europe, to the United States, whether such exportation, shall be in vessels of the United States or in British vessels; and the same duties shall be paid, and the same bounties allowed, on the exportation of any article, the growth, produce, or manufacture of the United States, to His Britannick Majesty's territories in Europe, whether such exportation shall be in British vessels or in vessels of the United States.

Drawbacks.—National Treatment.

It is further agreed, that in all cases where drawbacks are or may be allowed, upon the re-exportation of any goods, the growth, produce, or manufacture of either country, respectively, the amount of the said drawbacks shall be the same whether the said goods shall have been originally imported in a British or American vessel; but when such re-exportation shall take place from the United States in a British vessel, or from the territories of His Britannick Majesty in Europe in an American vessel, to any other foreign nation, the two Contracting Parties reserve to themselves, respectively, the right of regulating or diminishing, in such case, the amount of the said drawback.

British Colonies in North America and West Indies excluded.

The intercourse between the United States and His Britannick Majesty's possessions in the West Indies, and on the continent of North America, shall not be affected by any of the provisions of this Article, but each Party shall remain in the complete possession of its rights, with respect to such an intercourse.

ARTICLE III.

United States Commerce with East Indies, Calcutta, Madras, Bombay, and Prince of Wales' Islands.—Most-favoured-nation Treatment.

His Britannick Majesty agrees that the vessels of the United States of America shall be admitted, and hospitably received at the principal settlements of the British dominions in the East Indies, viz., Calcutta, Madras, Bombay, and Prince of Wales Islands, and that the citizens of the said United States may freely carry on trade between the said principal settlements and the said United States, in all articles in which the importation and exportation, respectively, to and from the said territories, shall not be entirely prohibited: Provided only, that it shall not be lawful for them in any time of war, between the British Government and any State or Power whatever, to export from the said territories,

without the special permission of the British Government, any military stores or naval stores, or rice. The citizens of the United States shall pay for their vessels, when admitted, no higher or other duty or charge than shall be payable on the vessels of the most-favoured European nations, and they shall pay no higher or other duties or charges on the importation or exportation of the cargoes of the said vessels than shall be payable on the same articles when imported or exported in the vessels of the most-favoured European nations.

Goods from East Indies conveyed in United States Ships must be taken to a Port in the United States.

But it is expressly agreed, that the vessels of the United States shall not carry any articles from the said principal settlements to any port or place, except to some port or place in the United States of America, where the same shall be unladen.

Coasting Trade excepted.

It is also understood, that the permission granted by this Article is not to extend to allow the vessels of the United States to carry on any part of the coasting trade of the said British territories, but the vessels of the United States having, in the first instance, proceeded to one of the said principal settlements of the British dominions in the East Indies and then going with their original cargoes, or any part thereof, from one of the said principal settlements to another, shall not be considered as carrying on the coasting trade.

United States' Vessels to or from India or China may touch for Refreshments, but not Commerce, at Cape of Good Hope and other British Possessions in Africa and at St. Helena.

The vessels of the United States may also touch, for refreshments, but not for commerce, in the course of their voyage to or from the British territories in India, or to or from the dominions of the Emperor of China, at the Cape of Good Hope, the Island of St. Helena, or such other places as may be in the possession of Great Britain, in the African or Indian seas; it being well understood that in all that regards this Article, the citizens of the United States shall be subject, in all respects, to the laws and regulations of the British Government, from time to time established.

ARTICLE IV.

Appointment of Consuls.

It shall be free for each of the two Contracting Parties respectively to appoint Consuls, for the protection of trade, to reside in the dominions and territories of the other Party; but

before any Consul shall act as such, he shall in the usual form be approved and admitted by the Government to which he is sent; and it is hereby declared, that in case of illegal and improper conduct towards the laws or government of the country to which he is sent, such Consul may either be punished according to law, if the laws will reach the case, or be sent back, the offended Government assigning to the other the reasons for the same.

It is hereby declared, that either of the Contracting Parties may except from the residence of Consuls such particular places as such Party shall judge fit to be so excepted.

ARTICLE V.

Ratifications.

This Convention, when the same shall have been duly ratified by His Britannick Majesty and by the President of the United States, by and with the advice and consent of their Senate, and the respective ratifications mutually exchanged, shall be binding and obligatory on His Majesty and on the said United States for four years from the date of its signature; and the ratifications shall be exchanged in six months from this time, or sooner if possible.

Done at London, this third day of July, in the year of our Lord One thousand eight hundred and fifteen.

(Signed)	(L.S.)	FRED. J. ROBINSON.
	(L.S.)	HENRY GOULBURN.
	(L.S.)	WILLIAM ADAMS.
	(L.S.)	JOHN Q. ADAMS.
	(L.S.)	H. CLAY.
	(L.S.)	ALBERT GALLATIN.

DECLARATION.

United States' Vessels not to touch at St. Helena so long as Napoleon Buonaparte is there.

The Undersigned, His Britannick Majesty's Chargé d'Affaires in the United States of America, is commanded by His Royal Highness the Prince Regent, acting in the name and on the behalf of His Majesty, to explain and declare, upon the exchange of the ratifications of the Convention concluded in London on the 3rd of July of the present year, for regulating the commerce and navigation between the two countries, that in consequence of events which have happened in Europe subsequent to the signature of the Convention aforesaid, it has been deemed expedient and determined, in conjunction with the Allied Sovereigns, that St. Helena shall be the place allotted for the future residence of General Napoleon Buonaparte, under such

regulations as may be necessary for the perfect security of his person, and it has been resolved, for that purpose, that all ships and vessels whatever, as well British ships and vessels as others, excepting only ships belonging to the East India Company, shall be excluded from all communication with or approach to that Island.

It has therefore become impossible to comply with so much of the Third Article of the Treaty as relates to the liberty of touching for refreshment at the Island of St. Helena, and the ratifications of the said Treaty will be exchanged under the explicit declaration and understanding that the vessels of the United States cannot be allowed to touch at, or hold any communication whatever with, the said Island, as long as the said Island shall continue to be the place of residence of the said Napoleon Buonaparte.

(Signed) ANTHONY ST. JOHN BAKER.

Washington, November 24, 1815.

No. 188.

CONVENTION BETWEEN GREAT BRITAIN AND THE UNITED STATES.

Signed at London, October 20, 1818.

His Majesty The King of The United Kingdom of Great Britain and Ireland, and The United States of America, desirous to cement the good understanding which happily subsists between Them, have, for that purpose, named Their respective Plenipotentiaries, that is to say: His Majesty, on His part, has appointed The Right Honourable Frederick John Robinson, Treasurer of His Majesty's Navy, and President of the Committee of Privy Council for Trade and Plantations; and Henry Goulburn, Esquire, one of His Majesty's Under Secretaries of State;— And the President of The United States has appointed Albert Gallatin, their Envoy Extraordinary and Minister Plenipotentiary to the Court of France; and Richard Rush, their Envoy Extraordinary and Minister Plenipotentiary to the Court of His Britannick Majesty; Who, after having exchanged their respective full powers, found to be in due and proper form, have agreed to and concluded the following Articles:—

ARTICLE I.

Newfoundland Fisheries.

Whereas differences have arisen respecting the liberty claimed by The United States, for the Inhabitants thereof, to take, dry, and cure Fish, on certain Coasts, Bays, Harbours, and Creeks of His Britannick Majesty's Dominions in America, it is agreed between the High Contracting Parties that the Inhabitants of the said United States shall have, for ever, in common with the Subjects of His Britannick Majesty, the liberty to take Fish of every kind, on that part of the Southern Coast of Newfoundland, which extends from Cape Ray to the Rameau Islands, on the Western and Northern Coast of Newfoundland, from the said Cape Ray to the Quirpon Islands, on the Shores of the Magdalen Islands, and also on the Coasts, Bays, Harbours, and Creeks, from Mount Joly, on the Southern Coast of Labrador, to and through the Streights of Belleisle, and thence Northwardly indefinitely along the Coast, without prejudice, however, to any of the exclusive Rights of the Hudson's Bay Company. And that the American Fishermen shall also have liberty, for ever, to dry and cure Fish in any of the unsettled Bays, Harbours, and Creeks of the Southern part of the Coast of Newfoundland, here above described, and of the Coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said Fishermen to dry or cure Fish at such portion so settled, without previous agreement for such purpose, with the Inhabitants, Proprietors, or Possessors of the Ground. And the United States hereby renounced, for ever, any liberty heretofore enjoyed or claimed by the Inhabitants thereof, to take, dry, or cure Fish, on or within three Marine Miles of any of the Coasts, Bays, Creeks or Harbours of His Britannick Majesty's Dominions in America, not included within the above-mentioned limits: Provided, however, that the American Fishermen shall be admitted to enter such Bays or Harbours, for the purpose of shelter, and of repairing damages therein, of purchasing Wood, and of obtaining Water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying, or curing Fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.

ARTICLE II.

Boundary between Canada and United States from Lake of the Woods to the Stony Mountains.

It is agreed that a line drawn from the most North-Western Point of the Lake of the Woods, along the forty-ninth Parallel of North Latitude, or, if the said Point shall not be in the forty-ninth Parallel of North Latitude, then that a Line drawn from the said Point due North or South, as the case may be, until the

said Line shall intersect the said Parallel of North Latitude, and from the Point of such intersection due West along and with the said Parallel, shall be the Line of Demarcation between the Territories of His Britannick Majesty and those of The United States, and that the said Line shall form the Southern Boundary of the said Territories of His Britannick Majesty, and the Northern Boundary of the Territories of The United States, from the Lake of the Woods to the Stony Mountains.

ARTICLE III.

Any Territory claimed by Great Britain or the United States on the North-West Coast of America, westward of the Stony Mountains, to be free and open for Ten Years to the Vessels and Subjects of both Countries.

It is agreed that any Country that may be claimed by either Party on the North-West Coast of America, Westward of the Stony Mountains, shall, together with its Harbours, Bays, and Creeks, and the Navigation of all Rivers within the same, be free and open for the term of Ten Years from the date of the signature of the present Convention, to the Vessels, Citizens, and Subjects of the Two Powers; it being well understood, that this Agreement is not to be construed to the prejudice of any Claim which either of the Two High Contracting Parties may have to any part of the said Country, nor shall it be taken to affect the Claims of any other Power or State to any part of the said Country, the only object of the High Contracting Parties, in that respect, being to prevent disputes and differences amongst Themselves.

ARTICLE IV.

Provisions of Treaty of July 3, 1815, prolonged for Ten Years.

All the provisions of the Convention, "to regulate the Commerce between the Territories of His Britannick Majesty and of The United States," concluded at London, on the 3rd day of July, in the year of Our Lord 1815, with the exception of the Clause which limited its duration to Four Years, and excepting also, so far as the same was affected by the Declaration of His Majesty respecting the Island of Saint Helena, are hereby extended and continued in force for the term of Ten Years from the date of the signature of the present Convention, in the same manner as if all the provisions of the said Convention were herein specially recited.

ARTICLE V.

United States entitled to Restitution and Compensation for Slaves.—Differences as to Interpretation of Treaty of Ghent to be referred to Arbitration.

Whereas it was agreed by the First Article of the Treaty of Ghent that "All Territory, Places, and Possessions whatsoever,

taken by either Party from the Other during the War, or which may be taken after the signing of this Treaty, excepting only the Islands hereinafter mentioned, shall be restored without delay, and without causing any destruction, or carrying away any of the Artillery or other Publick Property originally captured in the said Forts or Places, which shall remain therein upon the exchange of the ratifications of this Treaty, or any Slaves or other Private Property ;”—and whereas, under the aforesaid Article, the United States claim for their Citizens, and as their Private Property, the Restitution of, or full Compensation for, all Slaves who, at the date of the exchange of the Ratifications of the said Treaty, were, in any Territory, Places, or Possessions whatsoever, directed by the said Treaty to be restored to The United States, but then still occupied by the British Forces, whether such Slaves were, at the date aforesaid, on shore, or on board any British Vessel, lying in Waters within the Territory or Jurisdiction of the United States ;—and whereas Differences have arisen, whether, by the true intent and meaning of the aforesaid Article of the Treaty of Ghent, the United States are entitled to the Restitution of, or full Compensation for, all or any Slaves, as above described, the High Contracting Parties hereby agree to refer the said Differences to some Friendly Sovereign, or State, to be named for that purpose ; and the High Contracting Parties further engage to consider the Decision of such Friendly Sovereign, or State, to be final and conclusive on all the matters referred.

ARTICLE VI.

Ratifications.

This Convention, when the same shall have been duly ratified by His Britannick Majesty and the President of The United States, by and with the advice and consent of their Senate, and the respective Ratifications mutually exchanged, shall be binding and obligatory on His Majesty and on the said United States ; and the Ratifications shall be exchanged in six months from this date, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have thereunto affixed the Seal of their Arms.

Done at London, this twentieth day of October, in the Year of our Lord One thousand eight hundred and eighteen.

(L.S.) FREDERICK JOHN ROBINSON.
(L.S.) HENRY GOULBURN.
(L.S.) ALBERT GALLATIN.
(L.S.) RICHARD RUSH.

No. 189.

CONVENTION OF COMMERCE BETWEEN GREAT BRITAIN AND THE
UNITED STATES.

Signed at London, August 6, 1827.

HIS Majesty the King of the United Kingdom of Great Britain and Ireland, and the United States of America, being desirous of continuing in force the existing commercial regulations between the two countries, which are contained in the Convention concluded between them on the third of July, 1815, and further renewed by the Fourth Article of the Convention of the twentieth of October, 1818, have, for that purpose, named their respective Plenipotentiaries, that is to say :

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Charles Grant, a member of His said Majesty's Most Honourable Privy Council, a Member of Parliament, and Vice-President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations; and Henry Unwin Addington, Esquire ;

And the President of the United States of America, Albert Gallatin, their Envoy Extraordinary and Minister Plenipotentiary to His Britannick Majesty ;

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Provisions of Treaty of July 3, 1815, extended indefinitely.

All the provisions of the Convention concluded between His Majesty the King of the United Kingdom of Great Britain and Ireland, and the United States of America, on the third of July, 1815, and further continued for the term of ten years, by the Fourth Article of the Convention of the twentieth of October 1818, with the exception therein contained as to St. Helena, are hereby further indefinitely, and without the said exception, extended and continued in force from the date of the expiration of the said ten years, in the same manner as if the provisions of the said Convention of the third of July, 1815, were herein specifically recited.

ARTICLE II.

Duration of this Convention.

It shall be competent, however, to either of the Contracting Parties, in case either should think fit, at any time after the expiration of the said ten years, that is, after the twentieth of October, 1828, on giving due notice of twelve months to the other Contracting Party, to annul and abrogate this Convention; and it shall, in such case, be accordingly entirely annulled and abrogated, after the expiration of the said term of notice.

ARTICLE III.

Ratifications.

The present Convention shall be ratified, and the ratifications shall be exchanged in nine months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the sixth day of August, in the year of our Lord One thousand eight hundred and twenty-seven.

(L.S.)	CHA. GRANT.
(L.S.)	HENRY UNWIN ADDINGTON.
(L.S.)	ALBERT GALLATIN.

No. 190.

TREATY BETWEEN GREAT BRITAIN AND THE UNITED STATES.

Signed at Washington, May 8, 1871.

[*Ratifications exchanged at London, June 17, 1871.*]

HER Britannic Majesty and the United States of America, being desirous to provide for an amicable settlement of all causes of difference between the two countries, have for that purpose appointed their respective Plenipotentiaries, that is to say :

Her Britannic Majesty on her part has appointed as Her High Commissioners and Plenipotentiaries, the Right Honourable George Frederick Samuel, Earl de Grey and Earl of Ripon, Viscount Gode-rich, Baron Grantham, a Baronet, a Peer of the United Kingdom,

Lord President of Her Majesty's Most Honourable Privy Council, Knight of the Most Noble Order of the Garter, &c., &c. ; the Right Honourable Sir Stafford Henry Northcote, Baronet, one of Her Majesty's Most Honourable Privy Council, a Member of Parliament, a Companion of the Most Honourable Order of the Bath, &c., &c. ; Sir Edward Thornton, Knight Commander of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States of America ; Sir John Alexander Macdonald, Knight Commander of the Most Honourable Order of the Bath, a Member of Her Majesty's Privy Council for Canada, and Minister of Justice and Attorney-General of Her Majesty's Dominion of Canada ; and Mountague Bernard, Esquire, Chichele Professor of International Law in the University of Oxford ;

And the President of the United States has appointed on the part of the United States, as Commissioners in a Joint High Commission and Plenipotentiaries, Hamilton Fish, Secretary of State ; Robert Cumming Schenck, Envoy Extraordinary and Minister Plenipotentiary to Great Britain ; Samuel Nelson, an Associate Justice of the Supreme Court of the United States ; Ebenezer Rockwood Hoar, of Massachusetts ; and George Henry Williams, of Oregon ;

And the said Plenipotentiaries, after having exchanged their full powers, which were found to be in due and proper form, have agreed to and concluded the following Articles :—

ARTICLE I.

Reference of "Alabama" Claims to Arbitration.

Whereas differences have arisen between the Government of the United States and the Government of Her Britannic Majesty, and still exist, growing out of the acts committed by the several vessels which have given rise to the claims generically known as the "Alabama" claims ;

And whereas Her Britannic Majesty has authorized Her High Commissioners and Plenipotentiaries to express, in a friendly spirit, the regret felt by Her Majesty's Government for the escape, under whatever circumstances, of the "Alabama" and other vessels from British ports, and for the depredations committed by those vessels :

Now, in order to remove and adjust all complaints and claims on the part of the United States, and to provide for the speedy settlement of such claims, which are not admitted by Her Britannic Majesty's Government, the High Contracting Parties agree that all the said claims, growing out of acts committed by the aforesaid vessels, and generically known as the "Alabama" claims, shall be referred to a Tribunal of Arbitration to be composed of five Arbitrators to be appointed in the following manner, that is to say : one shall be named by Her Britannic Majesty ; one shall be named by the President of the United States ; His Majesty the King of Italy shall be requested to name one ; the President of the Swiss Confederation

shall be requested to name one; and His Majesty the Emperor of Brazil shall be requested to name one.

In the case of the death, absence, or incapacity to serve of any or either of the said Arbitrators, or in the event of either of the said Arbitrators omitting or declining or ceasing to act as such, Her Britannic Majesty, or the President of the United States, or His Majesty the King of Italy, or the President of the Swiss Confederation, or His Majesty the Emperor of Brazil, as the case may be, may forthwith name another person to act as Arbitrator in the place and stead of the Arbitrator originally named by such head of a State.

And in the event of the refusal or omission for two months after the receipt of the request from either of the High Contracting Parties of His Majesty the King of Italy, or the President of the Swiss Confederation, or His Majesty the Emperor of Brazil, to name an Arbitrator either to fill the original appointment or in the place of one who may have died, be absent, or incapacitated, or who may omit, decline, or from any cause cease to act as such Arbitrator, His Majesty the King of Sweden and Norway shall be requested to name one or more persons, as the case may be, to act as such Arbitrator or Arbitrators.

ARTICLE II.

“Alabama” Arbitration—All Questions considered by the Tribunal and Award to be decided by majority of Arbitrators.

The Arbitrators shall meet at Geneva, in Switzerland, at the earliest convenient day after they shall have been named, and shall proceed impartially and carefully to examine and decide all questions that shall be laid before them on the part of the Governments of Her Britannic Majesty and the United States respectively. All questions considered by the Tribunal, including the final award, shall be decided by a majority of all the Arbitrators.

Each of the High Contracting Parties shall also name one person to attend the Tribunal as its Agent to represent it generally in all matters connected with the arbitration.

ARTICLE III.

“Alabama” Arbitration—Time for delivery of Cases to Arbitrators.

The written or printed case of each of the two Parties, accompanied by the documents, the official correspondence, and other evidence on which each relies, shall be delivered in duplicate to each of the Arbitrators and to the Agent of the other Party as soon as may be after the organization of the Tribunal, but within a period not exceeding six months from the date of the exchange of the ratifications of this Treaty.

ARTICLE IV.

“Alabama” Arbitration—Time for delivery of Counter-Cases to Arbitrators.

Within four months after the delivery on both sides of the written or printed Case, either Party may, in like manner, deliver in duplicate to each of the said Arbitrators, and to the Agent of the other Party, a Counter-Case and additional documents, correspondence, and evidence, in reply to the Case, documents, correspondence, and evidence, so presented by the other Party.

The Arbitrators may, however, extend the time for delivering such Counter-Case, documents, correspondence, and evidence, when, in their judgment, it becomes necessary, in consequence of the distance of the place from which the evidence to be presented is to be procured.

If, in the Case submitted to the Arbitrators, either Party shall have specified or alluded to any report or document in its own exclusive possession without annexing a copy, such Party shall be bound, if the other Party thinks proper to apply for it, to furnish that Party with a copy thereof; and either Party may call upon the other, through the Arbitrators, to produce the originals or certified copies of any papers adduced as evidence, giving in each instance such reasonable notice as the Arbitrators may require.

ARTICLE V.

“Alabama” Arbitration—Time for delivery of Arguments, &c., to Arbitrators.

It shall be the duty of the Agent of each Party, within two months after the expiration of the time limited for the delivery of the Counter-Case on both sides, to deliver in duplicate to each of the said Arbitrators and to the Agent of the other Party a written or printed argument showing the points and referring to the evidence upon which his Government relies; and the Arbitrators may, if they desire further elucidation with regard to any point, require a written or printed statement or argument or oral argument by counsel upon it; but in such case the other Party shall be entitled to reply either orally or in writing, as the case may be.

ARTICLE VI.

The “Three Rules.”

In deciding the matters submitted to the Arbitrators they shall be governed by the following three rules, which are agreed upon by the High Contracting Parties as rules to be taken as applicable to the case, and by such principles of international law not inconsistent therewith as the Arbitrators shall determine to have been applicable to the case:

Rules.

A neutral Government is bound—

First. To use due diligence to prevent the fitting out, arming, or equipping, within its jurisdiction, of any vessel which it has reasonable ground to believe is intended to cruise or to carry on war against a Power with which it is at peace; and also to use like diligence to prevent the departure from its jurisdiction of any vessel intended to cruise or carry on war as above, such vessel having been specially adapted, in whole or in part, within such jurisdiction, to warlike use.

Secondly. Not to permit or suffer either belligerent to make use of its ports or waters as the base of naval operations against the other, or for the purpose of the renewal or augmentation of military supplies or arms, or the recruitment of men.

Thirdly. To exercise due diligence in its own ports and waters, and, as to all persons within its jurisdiction, to prevent any violation of the foregoing obligations and duties.

Her Britannic Majesty has commanded her High Commissioners and Plenipotentiaries to declare that Her Majesty's Government cannot assent to the foregoing rules as a statement of principles of international law which were in force at the time when the claims mentioned in Article I arose, but that Her Majesty's Government, in order to evince its desire of strengthening the friendly relations between the two countries, and of making satisfactory provision for the future, agrees that, in deciding the questions between the two countries arising out of those claims, the Arbitrators should assume that Her Majesty's Government had undertaken to act upon the principles set forth in these rules.

And the High Contracting Parties agree to observe these rules as between themselves in future, and to bring them to the knowledge of other Maritime Powers and to invite them to accede to them.

ARTICLE VII.

"Alabama" Arbitration.—Time for delivery of Award.

The decision of the Tribunal shall, if possible, be made within three months from the close of the argument on both sides.

It shall be made in writing and dated, and shall be signed by the Arbitrators who may assent to it.

The said Tribunal shall first determine as to each vessel separately whether Great Britain has, by any act or omission, failed to fulfil any of the duties set forth in the foregoing three rules, or recognized by the principles of international law not inconsistent with such rules, and shall certify such fact as to each of the said vessels. In case the Tribunal find that Great Britain has failed to fulfil any duty or duties as aforesaid, it may, if it think proper, proceed to award a sum in gross to be paid by Great Britain to the United States

for all the claims referred to it; and in such case the gross sum so awarded shall be paid in coin by the Government of Great Britain to the Government of the United States at Washington within twelve months after the date of the award.

The award shall be in duplicate, one copy whereof shall be delivered to the Agent of Great Britain for his Government, and the other copy shall be delivered to the Agent of the United States for his Government.

ARTICLE VIII.

"Alabama" Arbitration.—Payment of Expenses.

Each Government shall pay its own Agent and provide for the proper remuneration of the Counsel employed by it, and of the Arbitrator appointed by it, and for the expense of preparing and submitting its case to the Tribunal. All other expenses connected with the arbitration shall be defrayed by the two Governments in equal moieties.

ARTICLE IX.

"Alabama" Arbitration.—Record of Proceedings of Tribunal.

The Arbitrators shall keep an accurate record of their proceedings, and may appoint and employ the necessary officers to assist them.

ARTICLE X.

"Alabama" Arbitration.—Appointment of a Board of Assessors to ascertain and determine Validity of Claims, &c.

In case the Tribunal finds that Great Britain has failed to fulfil any duty or duties as aforesaid, and does not award a sum in gross, the High Contracting Parties agree that a Board of Assessors shall be appointed to ascertain and determine what claims are valid, and what amount or amounts shall be paid by Great Britain to the United States on account of the liability arising from such failure as to each vessel, according to the extent of such liability as decided by the Arbitrators.

The Board of Assessors shall be constituted as follows: One member thereof shall be named by Her Britannic Majesty; one member thereof shall be named by the President of the United States, and one member thereof shall be named by the Representative at Washington of His Majesty the King of Italy; and in case of a vacancy happening from any cause, it shall be filled in the same manner in which the original appointment was made.

As soon as possible after such nominations the Board of Assessors shall be organized in Washington, with power to hold their sittings there, or in New York, or in Boston. The members thereof shall

severally subscribe a solemn declaration that they will impartially and carefully examine and decide, to the best of their judgment and according to justice and equity, all matters submitted to them, and shall forthwith proceed, under such rules and regulations as they may prescribe, to the investigation of the claims which shall be presented to them by the Government of the United States, and shall examine and decide upon them in such order and manner as they may think proper, but upon such evidence or information only as shall be furnished by or on behalf of the Governments of Great Britain and of the United States respectively. They shall be bound to hear on each separate claim, if required, one person on behalf of each Government as Counsel or Agent. A majority of the Assessors in each case shall be sufficient for a decision.

The decision of the Assessors shall be given upon each claim in writing, and shall be signed by them respectively, and dated.

Every claim shall be presented to the Assessors within six months from the day of their first meeting; but they may, for good cause shown, extend the time for the presentation of any claim to a further period not exceeding three months.

The Assessors shall report to each Government, at or before the expiration of one year from the date of their first meeting, the amount of claims decided by them up to the date of such report; if further claims then remain undecided, they shall make a further report at or before the expiration of two years from the date of such first meeting; and in case any claims remain undetermined at that time, they shall make a final report within a further period of six months.

The report or reports shall be made in duplicate, and one copy thereof shall be delivered to the Representative of Her Britannic Majesty at Washington, and one copy thereof to the Secretary of State of the United States.

All sums of money which may be awarded under this Article shall be payable at Washington, in coin, within twelve months after the delivery of each report.

The Board of Assessors may employ such clerks as they shall think necessary.

The expenses of the Board of Assessors shall be borne equally by the two Governments, and paid from time to time, as may be found expedient, on the production of accounts certified by the Board. The remuneration of the Assessors shall also be paid by the two Governments in equal moieties in a similar manner.

ARTICLE XI.

“Alabama” Arbitration.—Result of Proceedings of Tribunal and of Board of Assessors to be considered as a full, perfect and final Settlement of Claims.

The High Contracting Parties engage to consider the result of the proceedings of the Tribunal of Arbitration and of the Board of

Assessors, should such Board be appointed, as a full, perfect, and final settlement of all the claims hereinbefore referred to; and further engage that every such claim, whether the same may or may not have been presented to the notice of, made, preferred, or laid before the Tribunal or Board, shall, from and after the conclusion of the proceedings of the Tribunal or Board, be considered and treated as finally settled, barred, and thenceforth inadmissible.

ARTICLE XII.

Unsettled Claims arising out of Acts committed between April, 13, 1861, and April 9, 1865, to be referred to Three Commissioners.

The High Contracting Parties agree that all claims on the part of Corporations, Companies, or private individuals, citizens of the United States, upon the Government of Her Britannic Majesty, arising out of acts committed against the persons or property of citizens of the United States during the period between the 13th of April, 1861, and the 9th of April, 1865, inclusive, not being claims growing out of the acts of the vessels referred to in Article I of this Treaty; and all claims, with the like exception, on the part of Corporations, Companies, or private individuals, subjects of Her Britannic Majesty, upon the Government of the United States, arising out of acts committed against the persons or property of subjects of Her Britannic Majesty during the same period, which may have been presented to either Government for its interposition with the other, and which yet remain unsettled, as well as any other such claims which may be presented within the time specified in Article XIV of this Treaty, shall be referred to three Commissioners, to be appointed in the following manner, that is to say: One Commissioner shall be named by Her Britannic Majesty, one by the President of the United States, and a third by Her Britannic Majesty and the President of the United States conjointly; and in case the third Commissioner shall not have been so named within a period of three months from the date of the exchange of the ratifications of this Treaty, then the third Commissioner shall be named by the Representative at Washington of His Majesty the King of Spain. In case of the death, absence, or incapacity of any Commissioner, or in the event of any Commissioner omitting or ceasing to act, the vacancy shall be filled in the manner hereinbefore provided for making the original appointment, the period of three months in case of such substitution being calculated from the date of the happening of the vacancy.

The Commissioners so named shall meet at Washington at the earliest convenient period after they have been respectively named, and shall before proceeding to any business, make and subscribe a solemn declaration that they will impartially and carefully examine and decide, to the best of their judgment, and according to justice and equity, all such claims as shall be laid before them on the part of

the Governments of Her Britannic Majesty and of the United States respectively ; and such declaration shall be entered on the record of their proceedings.

ARTICLE XIII.

Procedure of Claims Commission alluded to in Article XII.—Decision of Majority of Commissioners to be final.

The Commissioners shall then forthwith proceed to the investigation of the claims which shall be presented to them. They shall investigate and decide such claims in such order and such manner as they may think proper, but upon such evidence or information only as shall be furnished by or on behalf of their respective Governments. They shall be bound to receive and consider all written documents or statements which may be presented to them by or on behalf of their respective Governments in support of, or in answer to, any claim ; and to hear, if required, one person on each side, on behalf of each Government, as Counsel or Agent for such Government, on each and every separate claim. A majority of the Commissioners shall be sufficient for an award in each case. The award shall be given upon each claim in writing, and shall be signed by the Commissioners assenting to it. It shall be competent for each Government to name one person to attend the Commissioners as its Agent to present and support claims on its behalf and to answer claims made upon it, and to represent it generally in all matters connected with the investigation and decision thereof.

The High Contracting Parties hereby engage to consider the decision of the Commissioners as absolutely final and conclusive upon each claim decided upon by them, and to give full effect to such decisions without any objection, evasion, or delay whatsoever.

ARTICLE XIV.

Time for Presentation of Claims to Commission alluded to in Article XII.

Every claim shall be presented to the Commissioners within six months from the day of their first meeting, unless in any case where reasons for delay shall be established to the satisfaction of the Commissioners ; and then, and in any such case, the period for presenting the claim may be extended by them to any time not exceeding three months longer.

The Commissioners shall be bound to examine and decide upon every claim within two years from the day of their first meeting. It shall be competent for the Commissioners to decide in each case whether any claim has or has not been duly made, preferred, and laid before them, either wholly or to any and what extent, according to the true intent and meaning of this Treaty.

ARTICLE XV.

Sums awarded by Claims Commissioners to be paid within Twelve Months of Final Award without Interest.

All sums of money which may be awarded by the Commissioners on account of any claim shall be paid by the one Government to the other, as the case may be, within twelve months after the date of the final award, without interest, and without any deduction save as specified in Article XVI of this Treaty.

ARTICLE XVI.

Claims Commission.—Procedure—Payment of Commissioners, &c.

The Commissioners shall keep an accurate record and correct minutes or notes of all their proceedings, with the dates thereof, and may appoint and employ a Secretary, and any other necessary officer or officers, to assist them in the transaction of the business which may come before them.

Each Government shall pay its own Commissioner and Agent or Counsel. All other expenses shall be defrayed by the two Governments in equal moieties.

The whole expenses of the Commission, including contingent expenses, shall be defrayed by a rateable deduction on the amount of the sums awarded by the Commissioners; provided always that such deduction shall not exceed the rate of 5 per cent. on the sums so awarded.

ARTICLE XVII.

Claims Commission.—Result of Proceedings to be considered as a final Settlement of Claims mentioned in Article XII.

The High Contracting Parties engage to consider the result of the proceedings of this Commission as a full, perfect, and final settlement of all such claims as are mentioned in Article XII of this Treaty upon either Government; and further engage that every such claim, whether or not the same may have been presented to the notice of, made, preferred, or laid before the said Commission, shall, from and after the conclusion of the proceedings of the said Commission, be considered and treated as finally settled, barred, and thenceforth inadmissible.

[Articles XVIII to XXV terminated on July 2, 1885.]

ARTICLE XXVI.

Navigation of River St. Lawrence to be open to Commerce of United States.

The navigation of the River St. Lawrence, ascending and descending, from the forty-fifth parallel of north latitude, where it ceases to form the boundary between the two countries, from, to, and into the

sea, shall for ever remain free and open for the purposes of commerce to the citizens of the United States, subject to any laws and regulations of Great Britain, or of the Dominion of Canada, not inconsistent with such privilege of free navigation.

Navigation of Rivers Yukon, Porcupine, and Stikine to be open to British Commerce.

The navigation of the Rivers Yukon, Porcupine, and Stikine, ascending and descending from, to, and into the sea, shall for ever remain free and open for the purposes of commerce to the subjects of Her Britannic Majesty and to the citizens of the United States, subject to any laws and regulations of either country within its own territory, not inconsistent with such privilege of free navigation.

ARTICLE XXVII.

Use by United States' Citizens of Welland, St. Lawrence, and other Canadian Canals.

The Government of Her Britannic Majesty engages to urge upon the Government of the Dominion of Canada to secure to the citizens of the United States the use of the Welland, St. Lawrence, and other canals in the Dominion on terms of equality with the inhabitants of the Dominion ;

Use by British Subjects of St. Clair Flats Canal and certain State Canals.

And the Government of the United States engages that the subjects of Her Britannic Majesty shall enjoy the use of the St. Clair Flats Canal on terms of equality with the inhabitants of the United States, and further engages to urge upon the State Governments to secure to the subjects of Her Britannic Majesty the use of the several State canals connected with the navigation of the lakes or rivers traversed by or contiguous to the boundary line between the possessions of the High Contracting Parties, on terms of equality with the inhabitants of the United States.

ARTICLE XXVIII.

Navigation of Lake Michigan to be open to Commerce of British Subjects for term of years mentioned in Article XXXIII.

The navigation of Lake Michigan shall also, for the term of years mentioned in Article XXXIII of this Treaty, be free and open for the purposes of commerce to the subjects of Her Britannic Majesty, subject to any laws and regulations of the United States, or of the States bordering thereon not inconsistent with such privilege of free navigation.

ARTICLE XXIX.

Free Transit of Goods through United States' Territory to Canada for term of Years mentioned in Article XXXIII.

It is agreed that, for the term of years mentioned in Article XXXIII of this Treaty, goods, wares, or merchandize arriving at the ports of New York, Boston, and Portland, and any other ports in the United States which have been or may from time to time be specially designated by the President of the United States, and destined for Her Britannic Majesty's Possessions in North America, may be entered at the proper Custom-house and conveyed in transit, without the payment of duties, through the territory of the United States, under such rules, regulations, and conditions for the protection of the revenue as the Government of the United States may from time to time prescribe; and, under like rules, regulations, and conditions, goods, wares, or merchandize may be conveyed in transit, without the payment of duties, from such Possessions through the territory of the United States for export from the said ports of the United States.

Free Transit of Goods through Canada to the United States for term of Years mentioned in Article XXXIII.

It is further agreed that for the like period goods, wares, or merchandize arriving at any of the ports of Her Britannic Majesty's Possessions in North America and destined for the United States may be entered at the proper Custom-house and conveyed in transit, without the payment of duties, through the said Possessions, under such rules and regulations, and conditions for the protection of the revenue, as the Governments of the said Possessions may from time to time prescribe; and under like rules, regulations, and conditions goods, wares, or merchandize may be conveyed in transit, without payment of duties, from the United States through the said Possessions to other places in the United States, or for export from ports in the said Possessions.

[Article XXX terminated on July 2, 1885.]

ARTICLE XXXI.

As to Non-levying of Export Duty on Lumber or Timber cut in United States' Territory watered by River St. John and floated down that River to the Sea.

The Government of Her Britannic Majesty further engages to urge upon the Parliament of the Dominion of Canada and the Legislature of New Brunswick that no export duty, or other duty, shall be levied on lumber or timber of any kind cut on that portion of the American territory in the State of Maine watered by the river St. John and its tributaries, and floated down that river to the sea, when the same is shipped to the United States from the Province of

New Brunswick. And, in case any such export or other duty continues to be levied after the expiration of one year from the date of the exchange of the ratifications of this Treaty, it is agreed that the Government of the United States may suspend the right of carrying hereinbefore granted under Article XXX of this Treaty for such period as such export or other duty may be levied.

[Article XXXII terminated on July 2, 1885.]

ARTICLE XXXIII.

Duration of Articles XVIII to XXV and Article XXX of this Treaty.

The foregoing Articles XVIII to XXV inclusive, and Article XXX of this Treaty, shall take effect as soon as the Laws required to carry them into operation shall have been passed by the Imperial Parliament of Great Britain, by the Parliament of Canada, and by the Legislature of Prince Edward's Island on the one hand, and by the Congress of the United States on the other. Such assent having been given, the said Articles shall remain in force for the period of ten years from the date at which they may come into operation, and further, until the expiration of two years after either of the High Contracting Parties shall have given notice to the other of its wish to terminate the same; each of the High Contracting Parties being at liberty to give such notice to the other at the end of the said period of ten years or at any time afterward.

ARTICLE XXXIV.

Submission to Arbitration of German Emperor of Boundary between United States and Canada laid down in Article I of Treaty of 1846.

Whereas it was stipulated by Article I of the Treaty concluded at Washington on the 15th of June, 1846, between Her Britannic Majesty and the United States, that the line of boundary between the territories of Her Britannic Majesty and those of the United States, from the point on the forty-ninth parallel of north latitude up to which it had already been ascertained, should be continued westward along the said parallel of north latitude "to the middle of the channel which separates the continent from Vancouver's Island, and thence southerly, through the middle of the said channel and of Fuca Straits, to the Pacific Ocean"; and whereas the Commissioners appointed by the two High Contracting Parties to determine that portion of the boundary which runs southerly through the middle of the channel aforesaid were unable to agree upon the same; and whereas the Government of Her Britannic Majesty claims that such boundary line should, under the terms of the Treaty above recited, be run through the Rosario Straits, and the Government of the United States claims that it should be run through the Canal de Haro, it is agreed that the respective claims of the Government of Her Britannic Majesty and of the Government of the United States

shall be submitted to the arbitration and award of His Majesty the Emperor of Germany, who, having regard to the above-mentioned Article of the said Treaty, shall decide thereupon, finally and without appeal, which of those claims is most in accordance with the true interpretation of the Treaty of 15th June, 1846.

ARTICLE XXXV.

Award of German Emperor as to Boundary between the United States and Canada laid down in Article I of Treaty of 1846 to be final.

The award of His Majesty the Emperor of Germany shall be considered as absolutely final and conclusive; and full effect shall be given to such award without any objection, evasion, or delay whatsoever. Such decision shall be given in writing and dated; it shall be in whatever form His Majesty may choose to adopt; it shall be delivered to the Representatives or other public Agents of Great Britain and of the United States respectively, who may be actually at Berlin, and shall be considered as operative from the day of the date of the delivery thereof.

ARTICLE XXXVI.

Boundary Arbitration.—Time for delivery of Cases.

The written or printed Case of each of the two Parties, accompanied by the evidence offered in support of the same, shall be laid before His Majesty the Emperor of Germany within six months from the date of the exchange of the ratifications of this Treaty, and a copy of such Case and evidence shall be communicated by each Party to the other, through their respective Representatives at Berlin.

The High Contracting Parties may include, in the evidence to be considered by the Arbitrator, such documents, official correspondence and other official or public statements bearing on the subject of the reference as they may consider necessary to the support of their respective cases.

After the written or printed Case shall have been communicated by each Party to the other, each Party shall have the power of drawing up and laying before the Arbitrator a second and definitive statement, if it think fit to do so, in reply to the Case of the other Party so communicated, which definitive statement shall be so laid before the Arbitrator, and also be mutually communicated in the same manner as aforesaid, by each Party to the other, within six months from the date of laying the first statement of the Case before the Arbitrator.

ARTICLE XXXVII.

Boundary Arbitration.—Production of Documents alluded to in Cases, &c.

If, in the Case submitted to the Arbitrator, either Party shall specify or allude to any report or document in its own exclusive possession without annexing a copy, such Party shall be bound, if the other Party thinks proper to apply for it, to furnish that Party with a copy thereof, and either Party may call upon the other, through the Arbitrator, to produce the originals or certified copies of any papers adduced as evidence, giving in each instance such reasonable notice as the Arbitrator may require. And if the Arbitrator should desire further elucidation or evidence with regard to any point contained in the statements laid before him, he shall be at liberty to require it from either Party, and he shall be at liberty to hear one Counsel or Agent for each Party, in relation to any matter, and at such time, and in such manner, as he may think fit.

ARTICLE XXXVIII.

Boundary Arbitration.—British and United States' Diplomatic Representatives at Berlin to be the Agents.

The Representatives or other public Agents of Great Britain and of the United States at Berlin respectively, shall be considered as the Agents of their respective Governments to conduct their Cases before the Arbitrator, who shall be requested to address all his communications, and give all his notices, to such Representatives or other public Agents, who shall represent their respective Governments generally in all matters connected with the arbitration.

ARTICLE XXXIX.

Boundary Arbitration.—Arbitrator to proceed in matter when he sees fit.

It shall be competent to the Arbitrator to proceed in the said Arbitration, and all matters relating thereto, as when he shall see fit, either in person, or by a person or persons named by him for that purpose, either in the presence or absence of either or both Agents, and either orally or by written discussion, or otherwise.

ARTICLE XL.

Boundary Arbitration.—Appointment of Secretary.

The Arbitrator may, if he think fit, appoint a Secretary or Clerk, for the purposes of the proposed arbitration, at such rate of remuneration as he shall think proper. This, and all other expenses of and

connected with the said arbitration, shall be provided for as herein-after stipulated.

ARTICLE XLI.

Boundary Arbitration.—Expenses.

The Arbitrator shall be requested to deliver, together with his award, an account of all the costs and expenses which he may have been put to in relation to this matter, which shall forthwith be repaid by the two Governments in equal moieties.

ARTICLE XLII.

Boundary Arbitration.—Award.

The Arbitrator shall be requested to give his award in writing as early as convenient after the whole Case on each side shall have been laid before him, and to deliver one copy thereof to each of the said Agents.

ARTICLE XLIII.

Ratifications.

The present Treaty shall be duly ratified by Her Britannic Majesty and by the President of the United States of America, by and with the advice and consent of the Senate thereof, and the ratifications shall be exchanged either at London or at Washington within six months from the date hereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this Treaty, and have hereunto affixed our seals.

Done in duplicate at Washington, the eighth day of May, in the year of Our Lord one thousand eight hundred and seventy-one.

(L.S.)	DE GREY & RIPON.
(L.S.)	STAFFORD H. NORTHCOTE.
(L.S.)	EDWD. THORNTON.
(L.S.)	JOHN A. MACDONALD.
(L.S.)	MOUNTAGUE BERNARD.
(L.S.)	HAMILTON FISH.
(L.S.)	ROBT. C. SCHENCK.
(L.S.)	SAMUEL NELSON.
(L.S.)	EBENEZER ROCKWOOD HOAR.
(L.S.)	GEO. H. WILLIAMS.

Oct. 24, 1877.]
April 11, 1887.]

No. 191.

DECLARATION BETWEEN GREAT BRITAIN AND THE UNITED STATES
FOR THE PROTECTION OF TRADE-MARKS.

Signed at London, October 24, 1877.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of the United States of America, with a view to the reciprocal protection of the marks of manufacture and trade in the two countries, have agreed as follows :

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as belong to native subjects or citizens, or as are now granted, or may hereafter be granted, to the subjects and citizens of the most favoured nation, in everything relating to property in trade-marks and trade labels.

It is understood that any person who desires to obtain the afore-said protection must fulfil the formalities required by the laws of the respective countries.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto the seal of their arms.

Done at London, the 24th day of October, 1877.

(L.S.) DERBY.

(L.S.) EDWARDS PIERREPONT.

No. 192.

ACCESSION OF THE UNITED STATES TO THE INTERNATIONAL UNION
FOR THE PROTECTION OF INDUSTRIAL PROPERTY.

April 11, 1887.

(No. 1.)

The President of the Swiss Confederation to the Marquis of Salisbury.
Excellence, *Berne, le 11 Avril, 1887.*

Nous avons l'honneur d'informer votre Excellence que le Sénat des États-Unis a ratifié la Convention du 20 Mars, 1883, pour la Protection de la Propriété Industrielle, et le Protocole adopté le 11 Mai, 1886, par la Conférence de Rome, et que le Gouvernement de ce pays a notifié à la Légation Suisse de Washington son intention d'accéder à l'Union pour la Protection de la Propriété Industrielle.

La date d'accession est fixée au 18 Mars, 1887, date de la notification adressée par le Gouvernement des États-Unis à la Légation Suisse. En ce qui concerne leur participation aux frais du Bureau International, les États-Unis sont rangés dans la première classe.

Nous croyons devoir attirer l'attention de votre Excellence sur la mention insérée au procès-verbal de la séance du 12 Mars, 1883, de la seconde Conférence de Paris (procès-verbaux, p. 37), et d'après laquelle le Gouvernement Fédéral Suisse est autorisé à accepter l'accession ultérieure des États-Unis sous la réserve formulée en ces termes au quatrième paragraphe du projet du Protocole de Clôture de 1880 :—

“Le Plénipotentiaire des États-Unis d'Amérique ayant déclaré qu'aux termes de la Constitution Fédérale le droit de légiférer en ce qui concerne les marques de fabrique ou de commerce est, dans une certaine mesure, réservé à chacun des États de l'Union Américaine, il est convenu que les dispositions de la Convention ne seront applicables que dans les limites des pouvoirs constitutionnels des Hautes Parties Contractantes.”

En priant votre Excellence de vouloir bien prendre note de ce qui précède, nous saisissons, &c.

Au nom du Conseil Fédéral Suisse :

Le Président de la Confédération,

(Signé) DROZ.

Le Chancelier de la Confédération,

(Signé) RINGIER.

(No. 2.)

The Marquis of Salisbury to the President of the Swiss Confederation.

Sir,

Foreign Office, April 22, 1887.

I have the honour to acknowledge the receipt of your Excellency's communication of the 11th instant, and to acquaint you that Her Majesty's Government have taken note with much satisfaction of the accession of the United States of America to the Union for the Protection of Industrial Property.

I have, &c.

(Signed) SALISBURY.

No. 193.

CONVENTION BETWEEN GREAT BRITAIN AND THE UNITED STATES
RELATIVE TO THE DISPOSAL OF REAL AND PERSONAL PROPERTY.

Signed at Washington, March 2, 1899.

[Ratifications exchanged at Washington, July 28, 1900.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the United States of America, desiring to improve the condition of the subjects and citizens of each of the respective countries in relation to the tenure and disposition of real and personal property situated, or being within, the territories of the other, as well as to authorize the representation of deceased persons by the Consuls of their respective nations in the settlement of estates, have resolved to conclude a Convention for those purposes, and have named as their Plenipotentiaries :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Julian Pauncefoot, Knight Grand Cross of the Orders of the Bath and of St. Michael and St. George, Ambassador Extraordinary and Plenipotentiary of Great Britain ;

And the President of the United States of America, the Honourable John Hay, Secretary of State of the United States of America ;

Who, having exchanged their said full powers, found in due and proper form, have agreed to and signed the following Articles :—

ARTICLE I.

Three Years allowed for the Sale of Real Property left in either Country to a Subject of the other who is legally disqualified to hold it.

Where, on the death of any person holding real property (or property not personal), within the territories of one of the Contracting Parties, such real property would, by the laws of the land, pass to a subject or citizen of the other, were he not disqualified by the laws of the country where such real property is situated, such subject or citizen shall be allowed a term of three years in which to sell the same, this term to be reasonably prolonged if circumstances render it necessary, and to withdraw the proceeds thereof without restraint or interference, and exempt from any succession, probate, or administrative duties or charges other than those which may be imposed in like cases upon the subjects or citizens of the country from which such proceeds may be drawn.

ARTICLE II.

Full Power to dispose of Personal Property.

The subjects or citizens of each of the Contracting Parties shall have full power to dispose of their personal property within the territories of the other by testament, donation, or otherwise; and their heirs, legatees, and donees, being subjects or citizens of the other Contracting Party, whether resident or non-resident, shall succeed to their said personal property, and may take possession thereof either by themselves, or by others acting for them, and dispose of the same at their pleasure, paying such duties only as the citizens or subjects of the country where the property lies shall be liable to pay in like cases.

ARTICLE III.

Consular Officers to be informed of the Deaths of their Nationals whose Heirs are not known.

In case of the death of any subject of Her Britannic Majesty in the United States, or of any citizen of the United States of America in the United Kingdom of Great Britain and Ireland, without having, in the country of his decease, any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest Consular officer of the nation to which the deceased person belonged of the circumstance, in order that the necessary information may be immediately forwarded to persons interested.

The said Consular officer shall have the right to appear, personally or by delegate, in all proceedings on behalf of the absent heirs or creditors until they are otherwise represented.

ARTICLE IV.

Application to British Colonies.

The stipulations of the present Convention shall not be applicable to any of the Colonies or foreign possessions of Her Britannic Majesty unless notice to that effect shall have been given, on behalf of any such Colony or foreign possession, by Her Britannic Majesty's Representative at Washington to the United States' Secretary of State within one year from the date of the exchange of the ratifications of the present Convention.

It is understood that, under the provisions of this Article, Her Majesty can in the same manner give notice of adhesion on behalf of any British Protectorate or sphere of influence, or on behalf of the Island of Cyprus, in virtue of the Convention of the 4th June, 1878, between Great Britain and Turkey.

Application to United States' Territories beyond the Seas.

The provisions of this Convention shall extend and apply to any territory or territories pertaining to or occupied and governed by the United States beyond the seas only upon notice to that effect being given by the Representative of the United States at London, by direction of the Treaty-making power of the United States. —

ARTICLE V.

Disposal of Real and Personal Property.—Most-favoured-nation Treatment.

In all that concerns the right of disposing of every kind of property, real or personal, subjects or citizens of each of the High Contracting Parties shall, in the dominions of the other, enjoy the rights which are or may be accorded to the subjects or citizens of the most favoured nation.

ARTICLE VI.

Duration of Convention.

The present Convention shall come into effect ten days after the day upon which the ratifications are exchanged, and shall remain in force for ten years after such exchange. In case neither of the High Contracting Parties shall have given notice to the other twelve months before the expiration of the said period of ten years of the intention to terminate the present Convention, it shall remain in force until the expiration of one year from the day on which either of the High Contracting Parties shall have given such notice.

Separate Termination of Convention as regards Colonies or Foreign Possessions.

Her Britannic Majesty or the United States shall also have the right separately to terminate the present Convention at any time, on giving twelve months' notice to that effect in regard to any British Colony, foreign possession, or dependency, as specified in Article IV, which may have acceded thereto.

ARTICLE VII.

Ratifications.

The present Convention shall be duly ratified by Her Britannic Majesty and by the President of the United States, by and with the approval of the Senate thereof, and the ratifications shall be exchanged in London or in Washington.

In faith whereof we, the respective Plenipotentiaries, have signed this Treaty, and have hereunto affixed our seals.

Done in duplicate at Washington, the second day of March, one thousand eight hundred and ninety-nine.

(L.S.) JULIAN PAUNCEFOTE.

(L.S.) JOHN HAY.

LIST OF BRITISH COLONIES, &C., WHICH HAVE ACCEDED TO THE ABOVE CONVENTION UNDER ART. IV :

Bahamas.	Hong Kong.
Barbados.	India (including Native States).
Basutoland.	Jamaica.
Bechuanaland.	Labuan.
Bermuda.	Iagos.
British Guiana.	Leeward Islands.
British Honduras.	Mauritius.
British New Guinea.	Newfoundland.
Cape of Good Hope.	New Zealand.
Ceylon.	Northern Nigeria.
Commonwealth of Australia	Orange River Colony.
(New South Wales, Queens-	St. Helena.
land, South Australia, Tas-	Sierra Leone.
mania, Victoria, Western	Southern Nigeria.
Australia).	Southern Rhodesia.
Cyprus.	Straits Settlements.
Falkland Islands.	Transvaal.
Fiji.	Trinidad.
Gambia.	Windward Islands (St. Lucia,
Gold Coast.	St. Vincent and Grenada).

No. 194.

TREATY BETWEEN GREAT BRITAIN AND THE UNITED STATES
RELATIVE TO THE ESTABLISHMENT OF A COMMUNICATION BY
SHIP CANAL BETWEEN THE ATLANTIC AND PACIFIC OCEANS.

Signed at Washington, November 18, 1901.

[Ratifications exchanged at Washington, February 21, 1902.]

HIS Majesty Edward the Seventh, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, and Emperor of India, and the United States of America, being desirous to facilitate the construction of a ship-canal to connect the Atlantic and Pacific Oceans, by whatever route may be considered expedient, and to that end to remove any

objection which may arise out of the Convention of the 19th April, 1850, commonly called the Clayton-Bulwer Treaty, to the construction of such canal under the auspices of the Government of the United States, without impairing the "general principle" of neutralization established in Article VIII of that Convention, have for that purpose appointed as their Plenipotentiaries :

His Majesty Edward the Seventh, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, and Emperor of India, the Right Honourable Lord Pauncefote, G.C.B., G.C.M.G., His Majesty's Ambassador Extraordinary and Plenipotentiary to the United States ; and

The President of the United States, John Hay, Secretary of State of the United States of America ;

Who, having communicated to each other their full powers, which were found to be in due and proper form, have agreed upon the following Articles :—

ARTICLE I.

Abrogation of Treaty of 1850.

The High Contracting Parties agree that the present Treaty shall supersede the afore-mentioned Convention of the 19th April, 1850.

ARTICLE II.

Construction of Interoceanic Canal.

It is agreed that the canal may be constructed under the auspices of the Government of the United States, either directly at its own cost, or by gift or loan of money to individuals or Corporations, or through subscription to or purchase of stock or shares, and that, subject to the provisions of the present Treaty, the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

ARTICLE III.

Rules for Navigation of Interoceanic Canal.

The United States adopts, as the basis of the neutralization of such ship-canal, the following Rules, substantially as embodied in the Convention of Constantinople, signed the 28th October, 1888, for the free navigation of the Suez Canal, that is to say :

*Canal to be open to War-ships and Merchant-vessels of all Nations.—
Most-favoured-nation Treatment.*

1. The canal shall be free and open to the vessels of commerce and of war of all nations observing these Rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or

charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable.

Canal never to be Blockaded.—No Act of War, &c., to be committed within it.

2. The canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

Revictualling and Transit of Belligerent Vessels.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary; and the transit of such vessels through the canal shall be effected with the least possible delay in accordance with the Regulations in force, and with only such intermission as may result from the necessities of the service.

Prizes to be Treated as War-ships.

Prizes shall be in all respects subject to the same Rules as vessels of war of the belligerents.

Embarking or Disembarking of Troops or Munitions of War by Belligerents in Canal.

4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal, except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible dispatch.

Application of Provisions of this Article to Waters within Three Miles of each end of Canal.

5. The provisions of this Article shall apply to waters adjacent to the canal, within three marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than twenty-four hours at any one time except in case of distress, and in such case shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within twenty-four hours from the departure of a vessel of war of the other belligerent.

Immunity of Plants, Establishments, Works, &c., connected with Canal from attack or injury by Belligerents.

6. The plant, establishments, buildings, and all works necessary to the construction, maintenance, and operation of the canal shall be deemed to be part thereof, for the purposes of this Treaty, and in time of war, as in time of peace, shall enjoy complete immunity from attack or injury by belligerents, and from acts calculated to impair their usefulness as part of the canal.

ARTICLE IV.

Change of Sovereignty, &c., of Countries traversed by Canal not to affect Neutralization or obligations of High Contracting Parties.

It is agreed that no change of territorial sovereignty or of the international relations of the country or countries traversed by the before-mentioned canal shall affect the general principle of neutralization or the obligation of the High Contracting Parties under the present Treaty.

ARTICLE V.

Ratifications.

The present Treaty shall be ratified by His Britannic Majesty, and by the President of the United States, by and with the advice and consent of the Senate thereof; and the ratifications shall be exchanged at Washington or at London at the earliest possible time within six months from the date hereof.

In faith whereof the respective Plenipotentiaries have signed this Treaty and thereunto affixed their seals.

Done in duplicate at Washington, the 18th day of November, in the year of our Lord one thousand nine hundred and one.

(L.S.) PAUNCEFOTE.

(L.S.) JOHN HAY.

No. 195.

CONVENTION BETWEEN GREAT BRITAIN AND THE UNITED STATES
RESPECTING IMPORT DUTIES IN ZANZIBAR.

Signed at Washington, May 31, 1902.

[Ratifications exchanged October 17, 1902.]

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, acting in the name of His Highness the Sultan of Zanzibar, and the United States of America, have, for the purposes hereinafter stated, appointed their respective Plenipotentiaries, namely:

His Britannic Majesty, Arthur Stewart Raikes, Esquire, His Britannic Majesty's Chargé d'Affaires; and

The President of the United States of America, the Honourable John Hay, Secretary of State of the United States of America;

Who, after having communicated each to the other their respective full powers in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Obligations contracted under Brussels Act of 1890.—Import Duties in Zanzibar Protectorate.

Recognizing that it is just and necessary to facilitate to that portion of the dominions of His Highness the Sultan of Zanzibar which is under the protection of Great Britain, and which is situated in the basin of the Congo, as defined by the General Act of the African Conference at Berlin of February 26, 1885, the accomplishment of the obligations which it has contracted by virtue of the General Act of Brussels of 2nd July, 1890, the United States waives any objection on its part to the collection of import duties upon merchandise imported into that Protectorate.

Tariff of Duties for 15 years from July 2, 1890, not to exceed 10 per cent., except for Spirits, Fire-arms, and Ammunition.

The tariff of these duties, as provided in the Declaration of Brussels bearing the same date as the said General Act of Brussels for the period of fifteen years next ensuing from that date, is not to exceed ten per centum of the value of the merchandise at the port of importation, except for spirits and for fire-arms and ammunition, which are regulated by the General Act of Brussels.

After Period of 15 years from July 2, 1890, United States to be restored to the Relations with Zanzibar existing previously to this Convention.

At the expiration of the said period of fifteen years, and in default of a new agreement the United States will, with respect to this subject, be restored to the relations with the said Protectorate which existed prior to the conclusion of this Convention, the right to impose thereafter import duties to a maximum of ten per centum upon merchandise imported into the said Protectorate remaining acquired to the latter so long only as it shall continue to comply with the conditions and limitations stated in this Convention.

ARTICLE II.

Import Duties in Zanzibar Protectorate.—Most-favoured-nation Treatment.

The United States shall enjoy in the said Protectorate as to import duties all the advantages accorded to the most favoured nation.

No Differential Treatment nor Transit Duty.

Neither differential treatment nor transit duty shall be established in said Protectorate.

Application of Tariff Régime.

In the application of the tariff régime of the said Protectorate, the formalities and operations of commerce shall be simplified and facilitated so far as possible.

ARTICLE III.

*United States' Vessels, Commerce, Citizens in Zanzibar Protectorate.—
Treatment accorded to Signatories of Berlin Act, or Most
favoured-nation Treatment.*

Considering the fact that in Article I of this Convention the United States has given its assent under certain conditions to the establishment of import duties in that portion of the dominions of His Highness the Sultan of Zanzibar which is under the protection of Great Britain, it is well understood that the said Protectorate assures to the flag, to the vessels, to the commerce, and to the citizens and inhabitants of the United States, in all parts of the territory of that Protectorate, all the rights, privileges and immunities concerning import and export duties, tariff régime, interior taxes and charges and, in a general manner, all commercial interests, which are or shall be accorded to the Signatory Powers, of the Act of Berlin, or to the most favoured nation.

Ratifications.

This Convention shall be ratified, and the ratifications shall be exchanged at Washington as soon as may be and within twelve months from the date hereof.

Done in duplicate at Washington, this thirty-first day of May, in the year of our Lord one thousand nine hundred and two.

(Signed) ARTHUR S. RAIKES.
(Signed) JOHN HAY.

No. 196.

CONVENTION BETWEEN GREAT BRITAIN AND THE UNITED STATES
RESPECTING PAYMENT OF LIGHT AND HARBOUR DUES BY
VESSELS OF THE UNITED STATES IN ZANZIBAR.

Signed at Washington, June 5, 1903.

[*Ratifications exchanged at Washington, December 24, 1903.*]

WHEREAS it is provided by Article III of the Treaty of Amity and Commerce concluded September 21, 1833, between the

United States of America and His Highness the Sultan of Muscat, which Treaty was accepted by His Highness the Sultan of Zanzibar after the separation of that State from the jurisdiction of Muscat, that vessels of the United States entering any ports of the Sultan's dominions shall pay no more than five per centum duties on the cargo landed; and this shall be in full consideration of all import and export duties, tonnage, license to trade, pilotage, anchorage, or any other charge whatever;

And whereas no provision is made in the above-mentioned Treaty nor in any subsequent agreement for the payment of light and harbour dues in the dominions of His Highness the Sultan;

And whereas His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, acting in the name of His Highness the Sultan of Zanzibar, and the United States of America are desirous, in the interest of commerce, of so amending the said Article III of the said Treaty of Amity and Commerce of September 21, 1833, as to permit the imposition of light dues at the rate of one anna upon every registered ton, with an added harbour due of one anna upon every registered ton, on vessels of the United States entering the ports in the islands of Zanzibar and Pemba:

Now, therefore, the High Contracting Parties have to that end resolved to conclude a Convention, and have for this purpose appointed their Plenipotentiaries, to wit:

His Britannic Majesty, the Right Honourable Sir Michael H. Herbert, G.C.M.G., C.B., His Majesty's Ambassador Extraordinary and Plenipotentiary; and

The President of the United States of America, John Hay, Secretary of State of the United States;

Who, having exhibited each to the other their respective full powers, which were found to be in due and proper form, have agreed upon the following Articles:—

ARTICLE I.

Dues on United States' Vessels in Ports of Islands of Zanzibar and Pemba.

It is understood and agreed between the High Contracting Parties that nothing contained in said Article III of the said Convention of September 21, 1833, shall be construed as preventing the imposition on and collection from vessels of the United States entering any port in the islands of Zanzibar and Pemba of a light due of one anna per registered ton and an added harbour due of one anna per registered ton, His Britannic Majesty, acting in the name of His Highness the Sultan of Zanzibar, engaging that the light and harbour dues so imposed and collected shall be applied to the construction and maintenance of lighthouses and buoys for the proper lighting of the coasts of the said islands.

ARTICLE II.

Conditions on which United States consent to imposition of Light and Harbour Dues.

It is further understood and agreed between the High Contracting Parties that the consent of the United States to the imposition and collection of the light and harbour dues aforesaid is given on the conditions :—

1. That really adequate lighthouses are provided and maintained ; also that lights shall be placed upon the buoys when required by American vessels entering or leaving the harbour of Zanzibar at night.

2. That accounts of the receipts and expenditure of the dues are carefully kept and published.

3. That provision be made for the reduction of the dues if they should hereafter become disproportionate to the expenditure.

4. That the consent of all the other Powers having Treaties with Zanzibar be given to the imposition of the said light and harbour dues on their vessels, and that vessels of the United States be subject to no differential treatment.

ARTICLE III.

Ratifications.

The present Convention shall be ratified by His Britannic Majesty, and by the President of the United States of America, by and with the advice and consent of the Senate thereof, and the ratifications shall be exchanged in the City of Washington as soon as practicable.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at the City of Washington, this fifth day of June, in the year one thousand nine hundred and three.

(L.S.) MICHAEL H. HERBERT.

(L.S.) JOHN HAY.

No. 197.

EXCHANGE OF NOTES BETWEEN GREAT BRITAIN AND THE UNITED STATES AS TO THE RECIPROCAL PROTECTION OF TRADE-MARKS IN CHINA.

June 28, 1905.

(No. 1.)

Mr. Rockhill to Sir E. Satow.

American Legation, Peking, China,

Mr. Minister and dear Colleague, *June 28, 1905.*

THE Acting Secretary of State of the United States has informed me in an instruction dated April 17, 1905, that you

have been authorized by your Government to enter into a reciprocal agreement with me for the mutual protection of trade-marks registered in the United States and Great Britain against infringement in China by the citizens or subjects of our respective nations, and he has given me authority to effect with you by an exchange of notes an agreement for the reciprocal protection of American and British trade-marks in China.

In pursuance of the general agreement reached between our respective Governments on the subject, it affords me much satisfaction to agree on behalf of the Government of the United States, that henceforth trade-marks of British subjects, having been duly registered in the United States of America, will be protected against infringement by such persons as come under the jurisdiction of the United States' Consular Courts in China, in which effectual provision exists for the punishment of such infringements by American citizens.

I have, &c.

(Signed) W. W. ROCKHILL.

(No. 2.)

Sir E. Satow to Mr. Rockhill.

Mr. Minister and dear Colleague, *Peking, June 28, 1905.*

I HAVE the honour to acknowledge the receipt of your letter of this date, informing me that you have been authorized by your Government to effect with me by an exchange of notes an agreement for the reciprocal protection of American and British trade-marks.

I beg to thank you for this communication and to assure you that it affords me much satisfaction to enter into this reciprocal agreement, and henceforth protection will be afforded in China by His Britannic Majesty's Supreme Court for China and Corea and the Provincial Courts to trade-marks of citizens of the United States which have been duly registered in Great Britain in conformity with "The Patents, Designs, and Trade-marks Acts, 1883 to 1888."

At the same time it appears necessary to mention that the consent in writing of His Majesty's Minister or Chargé d'Affaires must be obtained on each occasion, which consent will be given as a matter of course in consequence of the assurance contained in your note under reply that effectual provision exists for the punishment in the United States' Consular Courts in China of infringement, by such persons as come under the jurisdiction of those Courts, of the trade-marks of British subjects which shall have been duly registered in the United States of America.

I have, &c.

(Signed) ERNEST SATOW.

URUGUAY.

No. 198.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN
GREAT BRITAIN AND URUGUAY.*Signed at Monte Video, November 13, 1885.***[Ratifications exchanged at Monte Video, May 22, 1886.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Excellency the President of the Oriental Republic of the Uruguay, being desirous of maintaining and strengthening friendly relations, and of promoting commercial intercourse between the dominions of Her Britannic Majesty and the territories of the Republic, have resolved to conclude a Treaty of Friendship, Commerce, and Navigation, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, William Gifford Palgrave, Esq., Minister Resident in the Oriental Republic of the Uruguay ;

And his Excellency the President of the Oriental Republic of the Uruguay, his Excellency Dr. Manuel Herrera y Obes, his Minister and Secretary of State for the Department of Foreign Affairs ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Commerce and Navigation.—Most-favoured-nation Treatment.

The High Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever which either contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State shall be extended immediately and unconditionally to the subjects or citizens of the other Contracting Party ; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

* Signed also in Spanish.

ARTICLE II.

Imports and Exports.—Most-favoured-nation Treatment.

The produce and manufactures of, as well as all goods coming from, the dominions and possessions of Her Britannic Majesty, which are imported into Uruguay, and the produce and manufactures of, as well as all goods coming from, Uruguay, which are imported into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, re-exportation, or transit, shall be treated in the same manner as, and, in particular, shall be subjected to no higher or other duties, whether general, municipal, or local, than the produce, manufactures, and goods of any third country the most favoured in this respect. No other or higher duties shall be levied in Uruguay on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty, on the exportation of any goods to Uruguay, than may be levied on the exportation of the like goods to any third country the most favoured in this respect.

Prohibitions of Importation, Exportation, or Transit.—Most-favoured-nation Treatment.

Neither of the Contracting Parties shall establish a prohibition of importation, exportation, or transit against the other which shall not, under like circumstances, be applicable to any third country the most favoured in this respect.

Local Dues, Customs Formalities, Brokerage, Commercial Travellers' Patterns, &c., Trade.—Most-favoured-nation Treatment.

In like manner, in all that relates to local dues, Customs formalities, brokerage, patterns or samples introduced by commercial travellers, and all other matters connected with trade, British subjects in Uruguay, and Uruguayan citizens in the dominions and possessions of Her Britannic Majesty, shall enjoy most-favoured-nation treatment.

Notice to be given of changes in Uruguayan Laws, &c.

In the event of any changes being made in Uruguayan laws Customs Tariff, or Regulations, sufficient notice shall be given in order to enable British subjects to make the necessary arrangements for meeting them.

ARTICLE III.

Vessels and Cargoes.—National and Most-favoured-nation Treatment.

British ships and their cargoes shall, in Uruguay, and Uruguayan vessels and their cargoes shall, in the dominions and possessions of

Her Britannic Majesty, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes.

Harbour and other Dues.—Pilotage.—National and Most-favoured-nation Treatment.

The preceding stipulation applies to local treatment dues, and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, pilotage, and generally to all matters connected with navigation.

Every favour or exemption in these respects, or any other privilege in matters of navigation which either of the Contracting Parties shall grant to a third Power, shall be extended immediately and unconditionally to the other Party.

National Vessels.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to the law of Uruguay are to be deemed Uruguayan vessels, shall, for the purpose of this Treaty, be respectively deemed British or Uruguayan vessels.

Coasting Trade Excepted.

The coasting trade is excepted from the stipulations of the present Treaty, and remains subject to the respective laws of the two countries.

ARTICLE IV.

Freedom of Residence.—Hiring, &c., of Houses and Warehouses.—Acquisition and Disposal of Property.—National Treatment.

The subjects or citizens of each of the Contracting Parties shall be permitted to reside permanently or temporarily in the dominions or possessions of the other, and to occupy and hire houses and warehouses for purposes of commerce, whether wholesale or retail. They shall also be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as natives of the country. Their heirs and legal representatives may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as natives of the country.

Property.—Taxes, Imposts, &c.—National Treatment.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable

by natives of the country. In every case the subjects or citizens of the Contracting Parties shall be permitted to export their property, or the proceeds thereof if sold, freely and without being subjected on such exportation to pay any duty different from that to which natives of the country are liable under similar circumstances.

ARTICLE V.

Domiciliary Visits.—National Treatment.

The dwellings, manufactories, warehouses, and shops of the subjects or citizens of each of the Contracting Parties in the dominion and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected. Except under the conditions and with the forms prescribed by the laws for natives of the country, such dwellings and premises shall be exempt from search or domiciliary visit, and books, papers, or accounts shall be exempt from examination or inspection.

Administration of Justice.—National Treatment.

The subjects or citizens of each of the two Contracting Parties in the dominions and possessions of the other shall have free access to the Courts of Justice for the prosecution and defence of their rights, without other conditions, restrictions, or taxes beyond those imposed on natives of the country, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE VI.

Exemption from Military Service, Forced Loans, &c.

The subjects or citizens of each of the Contracting Parties in the dominions and possession of the other shall be exempted from billeting and from all compulsory military service whatever, whether in the army, navy, or national guard or militia. They shall likewise be exempted from all contributions, whether pecuniary or in kind, imposed as a compensation for billeting and for personal service, and finally from forced Loans and military exactions or requisitions of any kind.

ARTICLE VII.

Protection of Persons and Property.—National Treatment.

The subjects or citizens of either of the two Contracting Parties residing in the dominions and possessions of the other shall enjoy, in regard to their houses, persons, and properties, the protection of the Government in as full and ample a manner as native subjects or citizens.

Liberty of Conscience.—Burials.

In like manner the subjects or citizens of each Contracting Party shall enjoy in the dominions and possessions of the other full liberty of conscience, and shall not be molested on account of their religious belief; and such of those subjects or citizens as may die in the territories of the other party shall be buried in the public cemeteries, or in places appointed for the purpose, with suitable decorum and respect.

Freedom of Religious Worship.

The subjects of Her Britannic Majesty residing within the territories of the Oriental Republic of the Uruguay shall be at liberty to exercise in private and in their own dwellings, or within the dwellings or offices of Her Britannic Majesty's Minister, Consuls, or Vice-Consuls, or in any public edifice set apart for the purpose, their religious rites, services, and worship, and to assemble therein for that purpose without hindrance or molestation.

The same stipulations shall be observed in regard to the citizens of the Oriental Republic of the Uruguay within the territories of Her Britannic Majesty.

ARTICLE VIII.

Trade-marks, &c.—National and Most-favoured-nation Treatment.

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same right as natives, or as subjects or citizens of the most favoured nation, in regard to patents for inventions, trade-marks, and designs, and the protection of industrial property upon fulfilment of the formalities prescribed by law.

ARTICLE IX.

Appointment and Privileges of Consular Officers.—Most-favoured-nation Treatment.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents to reside respectively in towns or ports in the dominions and possessions of the other Power. Such Consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges exemptions, and immunities are, or may hereafter be, granted there to Consular officers of the most favoured nation.

ARTICLE X.

Intestate Estates.

In the event of any subject or citizen of either of the two Contracting Parties dying without will or testimony in the dominions

and possessions of the other Contracting Party, the Consul-General, Consul, or Vice-Consul of the nation to which the deceased may belong, or, in his absence, the representative of such Consular officer, may, so far as the laws of each country will permit, take charge of the property which the deceased shall have left for the benefit of his legal representatives, until an executor or administrator be named.

ARTICLE XI.

Seamen Deserters.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties residing in the dominions and possessions of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XII.

Vessels in Distress.—Wrecks and Salvage.—Most-favoured-nation Treatment.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled by stress of weather or by accident to take shelter in a port of the other, shall be at liberty to refit therein to procure all necessary stores, and to continue their voyage, without paying any dues other than such as would be payable in a similar case by a vessel of the most favoured nation. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked within the territory of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast out of the ship, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Uruguayan Consul-General, Consul, Vice-Consul, or Consular Agent in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a vessel of the most favoured nation.

The goods and merchandize saved from the wreck shall be exempt from all duties of Customs, unless cleared for consumption

in which case they shall pay the same rate of duty as if they had been imported in a vessel of the most favoured nation.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other Agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XIII.

Rupture of Friendly Relations.—Position of Persons and Property.

For the better security of commerce-between the subjects of Her Britannic Majesty and the citizens of the Oriental Republic of Uruguay, it is agreed that if at any time any interruption of friendly intercourse or any rupture should unfortunately take place between the two Contracting Parties, the subjects or citizens of either of the said Contracting Parties who may be residing in the dominions or territories of the other, or who may be established there, in the exercise of any trade or special employment, shall have the privilege of remaining, and continuing such trade or employment, without any manner of interruption, in full enjoyment of their liberty and property, so long as they behave peacefully and commit no offence against the laws; and their goods, property, and effects, of whatever description they may be, whether in their own custody, or intrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like goods, property, and effects belonging to native subjects or citizens. Should they, however, prefer to leave the country, they shall be allowed to make arrangements for the safe keeping of their goods, property, and effects, or to dispose of them, and to liquidate their accounts; and a safe-conduct shall be given them to embark at the ports which they shall themselves select.

ARTICLE XIV.

*Application of Treaty to British Colonies.**

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty, so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

India.	Western Australia.
The Dominion of Canada.	Queensland.
Newfoundland.	Tasmania.
New South Wales.	New Zealand.
Victoria.	The Cape.
South Australia.	Natal.

* See Convention of July 15, 1899, p. 1007.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in the Oriental Republic of the Uruguay to the Uruguayan Minister for Foreign Affairs within two years from the date of the exchange of the ratifications of the present Treaty.

The Treaty shall apply in the case of such Colonies or foreign possessions from the date when this notice is given to the Uruguayan Minister for Foreign Affairs.

ARTICLE XV.

Controversies as to Interpretation or Execution of this Treaty to be settled by Arbitration.

Any controversies which may arise respecting the interpretation or the execution of the present Treaty, or the consequences of any violation thereof, shall be submitted, when the means of settling them directly by amicable agreement are exhausted, to the decision of Commissions of Arbitration, and the result of such arbitration shall be binding upon both Governments.

The members of such Commissions shall be selected by the two Governments by common consent, failing which each of the Parties shall nominate an Arbitrator, or an equal number of Arbitrators, and the Arbitrators thus appointed shall select an Umpire.

The procedure of the arbitration shall in each case be determined by the Contracting Parties, failing which the Commission of Arbitration shall be itself entitled to determine it beforehand.

ARTICLE XVI.

Duration of this Treaty.

The present Treaty shall continue in force during ten years, counted from the day of the exchange of the ratifications; and in case neither of the two Contracting Parties shall have given notice, twelve months before the expiration of the said period of ten years, of their intention of terminating the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice.

ARTICLE XVII.

Ratifications.

The present Treaty shall be ratified by Her Majesty the Queen of Great Britain and Ireland and by his Excellency the President of the Oriental Republic of the Uruguay, and the ratifications shall be exchanged at Monte Video as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Monte Video, this thirteenth day of November, one thousand eight hundred and eighty-five.

(L.S.) WM. GIFFORD PALGRAVE.

(L.S.) MANL. HERRA. Y OBES.

No. 199.

CONVENTION BETWEEN GREAT BRITAIN AND URUGUAY RENEWING
THE TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION OF
NOVEMBER 13, 1885.

Signed at Monte Video, July 15, 1899.

[Ratifications exchanged at Monte Video, June 9, 1900.]

Renewal of Treaty of November 13, 1885.

THEIR Excellencies Mr. Walter Baring, Her Britannic Majesty's Minister Resident, and Dr. Manuel Herrero y Espinosa, Minister for Foreign Affairs, having met together at the Ministry for Foreign Affairs of the Oriental Republic of Uruguay, have declared that, whereas it has not been as yet possible for reasons foreign to the wishes of both Governments to conclude a Treaty of Commerce and Navigation between their respective countries to take the place of the one that has lapsed, and recognising the fact that it is necessary that the commercial interests of the two nations should continue to be regulated by an international compact securing to them the treatment and advantages of the most favoured nation, and being duly authorized to that effect, now agree that the Treaty of Friendship Commerce, and Navigation concluded on the 13th of November, 1885, and the ratifications of which were exchanged on the 22nd of May, 1886, shall be renewed.

Accession and Withdrawal of British Colonies.

They also declared that British Colonies and possessions may adhere to the present Convention within six months counting from the exchange of ratifications, and may withdraw from the same, at any time by giving six months' notice of their intention.

In either case the notice will be given by the Representative of Her Britannic Majesty at Monte Video to the Ministry for Foreign Affairs of Uruguay.

Exceptions to Most-favoured-nation Treatment.

It was also agreed that the stipulations contained in the Treaty which is to be renewed do not include cases in which the Government of the Oriental Republic of Uruguay may accord special favours, exemptions, and privileges to the citizens or products of the United States of Brazil, of the Argentine Republic, or of Paraguay in matters of commerce.

Such favours cannot be claimed on behalf of Great Britain on the ground of most favoured nation rights, as long as they are not conceded to other States.

It is, nevertheless, understood that the said special favours, exemptions, and privileges shall not be capable of application to products similar to those of Great Britain, nor be extended to navigation.

Ratifications.

The present Convention shall be ratified, and the ratifications exchanged at Monte Video as soon as possible.

Duration of Convention.

It shall come into force from the day on which the ratifications are exchanged, and shall continue in force until the expiration of one year from the day on which one of the High Contracting Parties shall have given notice to the other of its intention of terminating it.

The undersigned Plenipotentiaries trust that in the time during which the present Convention remains in force the necessary negotiations may be carried on for the conclusion of a new Treaty more in keeping with the reciprocal interests of the two States.

In witness whereof they have signed the present Convention in duplicate at Monte Video, the fifteenth day of July, one thousand eight hundred and ninety-nine.

(L.S.) WALTER BARING.

(L.S.) MANL. HERRERO Y ESPINOSA.

LIST OF BRITISH COLONIES WHICH HAVE ACCEDED TO THE ABOVE CONVENTION:

Bahamas.	Malta.
Barbados.	Mauritius.
Ceylon.	Newfoundland.]
Falkland Islands.	New Zealand.
Gambia.	St. Helena.
Gold Coast.	Seychelles.
Hong Kong.	Sierra Leone.
Lagos.	Straits Settlements.
Leeward Islands.	Trinidad.

VENEZUELA.

No. 200.

TREATY OF AMITY, COMMERCE, AND NAVIGATION BETWEEN GREAT BRITAIN AND COLOMBIA,* TOGETHER WITH AN ADDITIONAL ARTICLE THEREUNTO ANNEXED.

Signed at Bogota, April 18, 1825.†

In the Name of the Most Holy Trinity.

EXTENSIVE commercial intercourse having been established for a series of years between the Dominions of His Britannick Majesty and the several Provinces or Countries of America, which (now united) constitute the State of Colombia, it seems good for the security as well as encouragement of such commercial intercourse, and for the maintenance of good understanding between His said Britannick Majesty and the said State, that the relations now subsisting between them should be regularly acknowledged and confirmed, by the signature of a Treaty of Amity, Commerce and Navigation. For this purpose they have named their respective Plenipotentiaries, that is to say :

His Majesty the King of the United Kingdom of Great Britain and Ireland, John Potter Hamilton, Esquire ; and Patrick Campbell, Esquire ;

And the Vice-President, charged with the Executive Power of the State of Colombia, Pedro Gual, Secretary of State in the Department for Foreign Affairs ; and General Pedro Briceño Mendez ;

Who, after having communicated to each other their respective Full Powers, found to be in due and proper form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Friendship.

There shall be perpetual, firm, and sincere Amity between the Dominions and Subjects of His Majesty The King of the United

* This Treaty is now only in force in Venezuela, which formed, at the time of its conclusion, an integral part of the State of Colombia.

† Signed also in Spanish.

Kingdom of Great Britain and Ireland, His Heirs and Successors, and the State and People of Colombia.

ARTICLE II.

Freedom of Commerce, Navigation, and Residence.—Hiring, &c., of Houses and Warehouses.

There shall be, between all the Territories of His Britannick Majesty in Europe, and the Territories of Colombia, a reciprocal freedom of Commerce. The Subjects and Citizens of the two Countries, respectively, shall have liberty freely and securely to come, with their Ships and Cargoes, to all such Places, Ports, and Rivers, in the Territories aforesaid, to which other Foreigners are or may be permitted to come, to enter into the same, and to remain and reside in any part of the said Territories, respectively; also to hire and occupy houses and warehouses for the purposes of their Commerce; and, generally, the Merchants and Traders of each Nation, respectively shall enjoy the most complete protection and security for their Commerce; subject always to the laws and statutes of the two Countries respectively.

ARTICLE III.

Commerce and Navigation in all British Dominions out of Europe.—Most-favoured nation Treatment.

His Majesty The King of the United Kingdom of Great Britain and Ireland engages further, that the Citizens of Colombia shall have the like liberty of Commerce and Navigation stipulated for in the preceding Article, in all His Dominions situated out of Europe, to the full extent in which the same is permitted at present, or shall be permitted hereafter, to any other Nation.

ARTICLE IV

Imports and Exports: Duties and Prohibitions.—Most-favoured-nation Treatment.

No higher or other duties shall be imposed on the importation into the Territories of His Britannick Majesty of any articles of the growth, produce, or manufacture of Colombia—and no higher or other duties shall be imposed on the importation into the Territories of Colombia, of any articles of the growth, produce, or manufacture of His Britannick Majesty's Dominions, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other Foreign Country; nor shall any other or higher duties or charges be imposed in the Territories or Dominions of either of the Contracting Parties, on the exportation of any articles to the Territories or Dominions of the other, than such as are or may be payable on the

exportation of the like articles to any other Foreign Country ; nor shall any prohibition be imposed upon the exportation or importation of any articles the growth, produce, or manufacture of His Britannick Majesty's Dominions, or of the said Territories of Colombia, to or from the said Dominions of His Britannick Majesty, or to or from the said Territories of Colombia, which shall not equally extend to all other Nations.

ARTICLE V.

Tonnage, Light, Harbour, Pilotage, and Salvage Dues.—National Treatment.

No higher or other duties or charges on account of Tonnage, Light, or Harbour Dues, Pilotage, Salvage in case of damage or shipwreck, or any other local charges, shall be imposed, in any of the Ports of Colombia, on British Vessels, than those payable, in the same Ports, by Colombian Vessels ; nor, in the Ports of His Britannick Majesty's Territories, on Colombian Vessels than shall be payable, in the same Ports, on British Vessels.

ARTICLE VI.

Imports or Exports in Vessels of either Country.—National Treatment.

The same duties shall be paid on the importation into the Territories of Colombia of any article the growth, produce, or manufacture of His Britannick Majesty's Dominions, whether such importation shall be in Colombian or in British Vessels ; and the same duties shall be paid on the importation into the Dominions of His Britannick Majesty of any article of the growth, produce, or manufacture of Colombia, whether such importation shall be in British or Colombian Vessels. The same duties shall be paid, and the same drawbacks and bounties allowed, on the exportation to Colombia of any articles of the growth, produce, or manufacture of His Britannick Majesty's Dominions, whether such exportation shall be in Colombian or in British Vessels ; and the same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any articles the growth, produce, or manufacture of Colombia to His Britannick Majesty's Dominions, whether such exportation shall be in British or Colombian Vessels.

ARTICLE VII.

National Vessels.

In order to avoid any misunderstanding with respect to the regulations which may respectively constitute a British or a Colombian Vessel, it is hereby agreed that all vessels built in the Dominions of His Britannick Majesty, and owned by British Subjects, or by any

of them, and whereof the Master and three-fourths of the mariners, at least, are British Subjects, excepting where the laws provide for any extreme cases, shall be considered as British Vessels; and that all Vessels built in the Territories of Colombia, and owned by the Citizens thereof, or any of them, and whereof the Master and three-fourths of the mariners, at least, are Colombian Citizens, excepting where the laws provide for any extreme cases, shall be considered as Colombian Vessels.

ARTICLE VIII.

Transaction of Business.—Employment of Agents.

All Merchants, Commanders of Ships, and others, the Subjects of His Britannick Majesty, or Citizens of the State of Colombia, shall have full liberty, in all the Territories of both Powers, respectively, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as Broker, Factor, Agent, or Interpreter; nor shall they be obliged to employ any other persons for those purposes, nor to pay them any salary or remuneration, unless they shall choose to employ them; and absolute freedom shall be allowed, in all cases to the buyer and seller, to bargain and fix the price of any goods, wares, or merchandize imported into, or exported from, the Territories of either of the Contracting Parties, as they shall see good.

ARTICLE IX.

Loading and Unloading of Vessels.—Acquisition and Disposal of Property.—Administration of Justice.—Most-favoured-nation and National Treatment.

In whatever relates to the lading and unlading of Ships, the safety of merchandize, goods, and effects, the succession to personal estates, and the disposal of personal property of every sort and denomination, by sale, donation, exchange, or testament, or in any other manner whatsoever, as also the administration of justice, the Subjects and Citizens of the two Contracting Parties shall enjoy, in their respective Dominions and Territories, the same privileges, liberties, and rights as the most favoured Nation, and shall not be charged, in any of these respects, with any higher imposts or duties than those which are paid, or may be paid, by the Native Subjects or Citizens of the Power in whose Dominions or Territories they may be resident.

Exemption from Military Service, Forced Loans, &c.—Taxes.—National Treatment.

They shall be exempted from all compulsory military Service whatsoever, whether by Sea or Land, and from all forced loans, or military exactions and requisitions; neither shall they be compelled to pay any ordinary taxes, under any pretext whatsoever, greater than those that are paid by the Subjects or Citizens of one or other Power.

ARTICLE X.

Appointment of Consular Officers.

It shall be free for each of the two Contracting Parties to appoint Consuls for the protection of Trade, to reside in the Dominions and Territories of the other Party ; but before any Consul shall act as such, he shall, in the usual form be approved and admitted by the Government to which he is sent ; and either of the Contracting Parties may except from the residence of Consuls such particular places as either of them may judge fit to be so excepted.

ARTICLE XI.

Rupture of Friendly Relations.—Position of Persons and Property.—National Treatment.

For the better security of commerce between the Subjects of His Britannick Majesty and the Citizens of Colombia, it is agreed that if, at any time, any interruption of friendly commercial intercourse, or any rupture should unfortunately take place between the two Contracting Parties, the Subjects or Citizens of either of the two Contracting Parties residing in the Dominions of the other shall have the privilege of remaining and continuing their trade therein, without any manner of interruption, so long as they behave peaceably, and commit no offence against the laws ; and their effects and property, whether entrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other demands than those which may be made upon the like effects or property, belonging to the native Inhabitants of the State in which such Subjects or Citizens may reside.

ARTICLE XII.

Liberty of Conscience.—Freedom of Religious Worship.—Burials.

The Subjects of His Britannick Majesty residing in the Territories of the State of Colombia shall enjoy the most perfect and entire security of conscience, without being annoyed, prevented, or disturbed on account of their religious belief. Neither shall they be annoyed, molested, or disturbed in the proper exercise of their religion, provided that this take place in private houses, and with the decorum due to Divine Worship, with due respect to the laws, usages, and customs of the Country. Liberty shall also be granted to bury the Subjects of His Britannick Majesty who may die in the said Territories of Colombia, in convenient and adequate places, to be appointed and established by themselves for that purpose, with the knowledge of the local Authorities. Nor shall the funerals or sepulchres of the dead be disturbed in any wise, nor upon any account. In the like manner, the Citizens of Colombia shall enjoy,

within all the Dominions of His Britannick Majesty, a perfect and unrestrained liberty of conscience, and of exercising their religion publicly or privately, within their own dwelling houses, or in the chapels and places of worship appointed for that purpose, agreeably to the system of toleration established in the Dominions of His said Majesty.

ARTICLE XIII.

Slave Trade.

The Government of Colombia engages to co-operate with His Britannick Majesty for the total abolition of the Slave Trade, and to prohibit all persons inhabiting within the Territories of Colombia, in the most effectual manner, from taking any share in such Trade.

ARTICLE XIV.

Additional Articles.

And for as much as it would be convenient and useful, for the purpose of facilitating the mutual good understanding between the two Contracting Parties, and for avoiding all difficulties henceforward, that other Articles should be proposed and added to the present Treaty, which Articles, both from a want of due time for their consideration, as well as from the pressure of circumstances, cannot at present be drawn up with the required perfection, it has been and is agreed, on the part of both Powers, that they will, with the least possible delay, come forward to treat and agree upon such Articles as may be wanting to this Treaty, and deemed mutually beneficial; and which Articles, when they shall be agreed upon and shall be duly ratified, shall form part of the present Treaty of Amity, Commerce, and Navigation.

ARTICLE XV.

Ratifications.

The present Treaty shall be ratified by His Majesty The King of the United Kingdom of Great Britain and Ireland, and by the President or Vice-President charged with the Executive Power of the State of Colombia, with the consent and approbation of the Congress of the said State; and the Ratifications shall be exchanged at London within the space of six months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done in the City of Bogotá, the eighteenth day of April, in the year of Our Lord one thousand eight hundred and twenty-five.

(L.S.) JOHN POTTER HAMILTON.

(L.S.) PATRICK CAMPBELL.

(L.S.) PEDRO GUAL.

(L.S.) PEDRO BRICEÑO MENDEZ.

ADDITIONAL ARTICLE.

National Vessels.

Whereas, in the present state of Colombian Shipping, it would not be possible for Colombia to take advantage of the reciprocity established by the Articles V, VI, and VII of the Treaty signed this day, if that part should be carried into immediate effect which stipulates that in order to be considered as a Colombian Ship, a Ship shall actually have been built in Colombia,—it is agreed that, for the space of seven years, to be reckoned from the date of the ratification of this Treaty, any Ships, wheresoever built, being *bond fide* the property of any of the Citizens of Colombia, and whereof the Master, and three fourths of the mariners, at least, are also Colombian Citizens, excepting where the laws provide for any extreme cases, shall be considered as Colombian ships:—His Majesty the King of the United Kingdom of Great Britain and Ireland reserving to Himself the right, at the end of the said term of seven years, to claim the principle of reciprocal restriction stipulated for in the Article VII above referred to, if the interests of British Navigation shall be found to be prejudiced by the present exception to that reciprocity, in favour of Colombian Shipping.

The present Additional Article shall have the same force and validity as if it were inserted, word for word, in the Treaty signed this day. It shall be ratified, and the ratifications shall be exchanged at the same time.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done in the City of Bogotá, the eighteenth day of April, in the year of our Lord one thousand eight hundred and twenty-five.

(L.S.) JOHN POTTER HAMILTON.

(L.S.) PATRICK CAMPBELL.

(L.S.) PEDRO GUAL.

(L.S.) PEDRO BRICEÑO MENDEZ.

DECLARATION BY HIS MAJESTY'S PRINCIPAL SECRETARY OF STATE
FOR FOREIGN AFFAIRS, ON THE EXCHANGE OF RATIFICATIONS.

The Undersigned, His Majesty's Principal Secretary of State for Foreign Affairs, at the moment of exchanging with Señor Manuel Jose Hurtado, Plenipotentiary of the State of Colombia, the Ratifications of the Treaty of Amity, Commerce, and Navigation signed at Bogotá on the 18th of April, 1825, by John Potter Hamilton, Esquire, and Patrick Campbell, Esquire, on the part of His Majesty, and Señor Pedro Gual, and General Pedro Briceño Mendez, on the part of the State of Colombia, has been commanded by His Majesty, in order to avoid any misunderstanding which might possibly arise

in the execution of that part of the seventh Article of the said Treaty wherein it is defined what Ships shall be considered as entitled to the privileges of British and Colombian Ships, to declare to Señor Hurtado, that, in addition to the qualifications therein expressed, such other Ships will likewise be entitled to be considered as British Ships which shall have been captured from an enemy by His Majesty's Ships of War, or by Subjects of His Majesty furnished with letters of marque by the Lords Commissioners of the Admiralty, and regularly condemned in one of His Majesty's Prize Courts as a lawful prize, or which shall have been condemned in any competent Court for the breach of the laws made for the prevention of the Slave Trade ;—and that, in the same manner, Ships captured from the enemy by the Ships of Colombia, and condemned under similar circumstances, will likewise be entitled to be considered as Colombian ships.

GEORGE CANNING.

London, November 7, 1825.

Señor Manuel Jose Hurtado,
&c. &c. &c.

DECLARATION BY COLOMBIAN PLENIPOTENTIARY ON THE EXCHANGE OF RATIFICATIONS.

(Translation.)

The Undersigned, Plenipotentiary of the State of Colombia, having received from His Britannick Majesty's Principal Secretary of State for Foreign Affairs a Declaration stating, " That, in order to avoid any misunderstanding which might possibly arise in the execution of that part of the seventh Article of the Treaty between His Britannick Majesty and the State of Colombia, signed at Bogotá on the 18th of April, 1825, wherein it is defined what Ships shall be considered as entitled to the privileges of British and Colombian Ships,—in addition to the qualifications therein expressed, such other Ships will likewise be entitled to be considered as British Ships which shall have been captured from an enemy by His Britannick Majesty's Ships of War, or by Subjects of His said Majesty furnished with letters of marque by the Lords Commissioners of the Admiralty, and regularly condemned in one of His said Majesty's Prize Courts as a lawful prize, or which shall have been condemned in any competent Court for the breach of the laws made for the prevention of the Slave Trade ;—and that, in the same manner, Ships captured from the enemy by the Ships of Colombia, and condemned under similar circumstances, will likewise be entitled to be considered as Colombian Ships :"—

The Undersigned, in virtue of the Full Powers with which he is

invested, hereby accepts and adopts the said Declaration, in the name and on the behalf of his Government.

MANUEL JOSE HURTADO.

London, November 7, 1825.

The Right Honourable George Canning,
&c. &c. &c.

No. 201.

CONVENTION BETWEEN GREAT BRITAIN AND VENEZUELA.*

Signed at London, October 29, 1834.†

WHEREAS a Treaty of Amity, Commerce, and Navigation, consisting of fifteen Articles, was concluded between His Majesty the King of The United Kingdom of Great Britain and Ireland, and the State of Colombia, which said Treaty, together with an Additional Article thereto, was signed at Bogotá on the 18th day of April, 1825; and whereas, after reciting that extensive commercial intercourse having been established for a series of years between the Dominions of His Britannic Majesty in Europe, and the several Provinces and Countries of America which (then united) constituted the State of Colombia, it seemed good for the security as well as encouragement of such commercial intercourse, and for the maintenance of good understanding between His said Britannic Majesty and the said State, that the relations then subsisting between them should be regularly acknowledged and confirmed by the signature of a Treaty of Amity, Commerce, and Navigation; it was in and by the said Treaty declared and agreed, that, under certain regulations and conditions therein specified, there should be reciprocal freedom of commerce between the Territories of His Britannic Majesty in Europe, and the Territories of Colombia; and whereas at the signing of the said Treaty, the Provinces of Venezuela were united with, and formed a component part of, the State of Colombia, but have since that time finally and entirely separated themselves therefrom, and from all other Countries or Provinces then or now united therewith, and have become a separate and independent State, under a distinct Government; and whereas it is desirable that the commercial relations and

* This Convention, which adopted and confirmed the Treaty between Great Britain and Colombia of 19th April, 1825, was renewed and confirmed by an exchange of notes dated 13th February, 1903, in pursuance of Article VII of the Protocol between Great Britain and Venezuela signed at Washington on the same day.

† Signed also in Spanish.

intercourse now or lately subsisting between the Territories of His Britannic Majesty in Europe, and the Territories of the State of Venezuela, respectively, should continue and be carried on in the same manner, and under the same regulations and conditions, as are expressed and specified in the aforesaid Treaty between His said Majesty and the State of Colombia, and that His Majesty should acknowledge the independence of the said State of Venezuela, it has been accordingly agreed to conclude a Convention for the purposes aforesaid.

The High Contracting Parties have therefore named as their Plenipotentiaries, that is to say :

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John, Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of His Britannic Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, a Member of Parliament, and His Principal Secretary of State for Foreign Affairs ;

And the President, charged with the Executive Power of the State of Venezuela, the General of Division Mariano Montilla, a Member of the Order of the Liberators of Venezuela ;

Who, after having communicated to each other their respective Full Powers, found to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Adoption of Treaty with Colombia of April 18, 1825.

His Majesty the King of the United Kingdom of Great Britain and Ireland, and the State of Venezuela, the Independence of which State is hereby acknowledged, recognized, and declared by His said Majesty, mutually agree to adopt and confirm, as effectually as if the same were inserted word for word herein, the several Articles and Provisions of the aforesaid Treaty concluded between His said Majesty and the State of Colombia, together with the aforesaid Additional Article thereto ; and that all the matters and things contained in such Treaty and Additional Article, shall, *mutatis mutandis*, from and after the conclusion of the present Convention, be applied to the High Contracting Parties, their Subjects and Citizens, as effectually as if they were recited word for word herein ; confirming and approving hereby all matters and things done or to be done, by their respective Subjects and Citizens, under the aforesaid Treaty, and in execution thereof.

ARTICLE II.

Adoption of Declaration with Colombia of November 7, 1825.

The High Contracting Parties further mutually agree to adopt and confirm, as part of the present Convention, as effectually as if

the same were inserted word for word herein, the Declaration explanatory of that part of the Seventh Article of the aforesaid Treaty concluded between His Britannic Majesty and the State of Colombia, wherein it was defined what Ships should be considered as entitled to the privileges of British and Colombian Ships, which Declaration was signed at London on the 7th day of November, 1825, by the Right Honourable George Canning, then His Britannic Majesty's Principal Secretary of State for Foreign Affairs, on behalf of His said Majesty, and by Señor Manuel José Hurtado, Plenipotentiary of the State of Colombia, on behalf of the said State ; and that the said Declaration, and the several provisions therein contained, shall, from and after the ratification of the present Convention, *mutatis mutandis*, be applied to His said Majesty and his Subjects, and to the said State of Venezuela and its Citizens, as effectually as if the same were inserted word for word herein.

ARTICLE III.

Ratifications.

The present Convention shall be ratified by His Majesty the King of the United Kingdom of Great Britain and Ireland, and by the President or Vice-President charged with the Executive Power of the State of Venezuela, with the consent and approbation of the Congress of the said State ; and the Ratifications shall be exchanged at London within the space of six months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the twenty-ninth day of October, in the year of our Lord one thousand eight hundred and thirty-four.

(L.S.) PALMERSTON.
(L.S.) M. MONTILLA.

ZANZIBAR.

No. 202.

TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN
GREAT BRITAIN AND ZANZIBAR.*Signed at Zanzibar, April 30, 1886.**[Ratifications exchanged at Zanzibar, August 17, 1886.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Highness the Seyyid Barghash bin Saeed, Sultan of Zanzibar, being desirous to confirm and strengthen the friendly relations which now subsist between the two countries, and to promote and extend their commercial relations, have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Sir John Kirk, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Her Britannic Majesty's Agent and Consul-General at Zanzibar ;

And His Highness the Sultan of Zanzibar, his Chief Secretary Mohammed bin Salim bin Mohammed el Mauli ;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Peace and Friendship.

There shall be perpetual peace and amity between the two High Contracting Parties and their subjects.

ARTICLE II.

Commerce, Navigation, and Trade. — Most-favoured-nation Treatment.

Subjects of Her Britannic Majesty shall enjoy, immediately and unconditionally, throughout the dominions of His Highness the

Sultan of Zanzibar, with respect to commerce, shipping, and the exercise of trade, as in every other respect, all the rights, privileges, immunities, advantages, and protection of whatsoever nature, which are, or hereafter may be, enjoyed by or accorded to the subjects or citizens of the most favoured nation.

General Most-favoured-nation Treatment.

They shall more especially not be liable to other or more onerous duties, imposts, restrictions, or obligations, of whatever description, than those to which subjects or citizens of the most favoured nation now are, or hereafter may be, subjected.

The rights of the most favoured nation shall also be accorded to subjects of His Highness the Sultan of Zanzibar within the territories of Her Britannic Majesty.

ARTICLE III.

Appointment and Privileges of Consular Officers.—Most-favoured-nation Treatment.

The High Contracting Parties acknowledge the right of appointing Consular officers to reside in each other's dominions, wherever this may be deemed to be desirable in the interest of commerce or otherwise, and such Consular officers, together with their Assistants and those in their service, shall enjoy, with regard to their persons and houses, and also in the exercise of their official duties, in addition to the rights herein stipulated, the same honours and privileges as are, or in future shall be, enjoyed by Consular officers of the most favoured nation. In event of a riot or other disturbance of the public peace, His Highness the Sultan shall provide the British Consular officers, at their request, with a guard in order to guarantee their safety and the inviolability of the Consular office and dwelling, and shall, at the request of a British Consular officer, place the police force at his disposal to assist in effecting arrests or in the execution of his official duties.

ARTICLE IV.

Freedom of Commerce, Navigation, Travel, and Residence.—Hiring, &c., of Houses, Warehouses, &c.—Employment of Agents.

There shall be perfect freedom of commerce and navigation between the High Contracting Parties; each shall allow the subjects of the other to enter all ports, creeks, and rivers, with their vessels and cargoes, also to travel, reside, pursue commerce and trade, whether wholesale or retail, in each other's dominions, and therein to hire, purchase, and possess houses, warehouses, shops, stores, and lands. British subjects shall everywhere be freely permitted, whether personally or by agent, to bargain for, buy, barter, and sell all kinds of goods, articles of import or native production, whether intended for sale within the dominions of His Highness or for

export, and to arrange with the owner or his agent regarding the price of all such goods and produce, without interference of any sort on the part of the authorities of His Highness.

Monopolies.

His Highness the Sultan of Zanzibar binds himself not to allow or recognise the establishment of any kind of monopoly or exclusive privilege of trade within his dominions to any Government, Association, or individual.

ARTICLE V.

Acquisition and Disposal of Property in Zanzibar.

Subjects of Her Britannic Majesty shall be permitted, throughout the dominions of His Highness the Sultan, to acquire, by gift, purchase, intestate succession, or under will, or in any other legal manner, land, houses, and property of every description, whether movable or immovable; to possess the same; and freely to dispose thereof by sale, barter, donation, will, or otherwise.

ARTICLE VI.

Zanzibar Customs, &c., Regulations.

With a view to facilitate commerce and for the purpose of regulating and securing the revenue which His Highness the Sultan now derives from the customs and other duties levied on foreign merchandise and on inland produce, the following Regulations contained in Articles VII, VIII, IX, X, XI, and XII have been agreed upon.

ARTICLE VII.

Import Duties in Zanzibar.—Most-favoured-nation Treatment.

His Highness the Sultan shall be permitted to levy a duty of entry not exceeding 5 per cent. on the value of all goods and merchandize, of whatever description, imported by sea from foreign countries, and landed at any port in the islands or on the coast of the mainland of Africa within the dominions of His Highness. This duty shall be paid at that port in His Highness' dominions where the goods are first landed, and on payment thereof such goods shall thereafter be exempt, within the Zanzibar dominions, from all other customs duties or taxes levied by or on behalf of the Government of His Highness the Sultan, by whatever names these may be designated, and no higher import duty shall be claimed from British subjects than that which is paid by subjects or citizens of the most favoured nation.

This duty once paid shall cover, from all other charges on the part of His Highness the Sultan, goods of whatever description

coming from foreign countries by sea, whether these are intended for local consumption or for transmission elsewhere, in bulk or otherwise, and whether they remain in the state in which they are imported or have been manufactured.

Duties on Spirituous Liquors in Zanzibar.

Spirits and Spirituous Liquors of all kinds imported into the dominions of His Highness the Sultan from abroad shall be subject to an entry or import duty of 25 per cent. *ad valorem*. Beer and wines containing less than 20 per cent. by volume of alcohol are not to be considered or classed as Spirituous Liquors within the meaning of this Article. These latter, therefore, remain subject to the common entry duty of 5 per cent. *ad valorem*.

Goods exempted from Duty.

There shall, however, be exempted from payment of all duty the following, namely:—

1. All goods and merchandize which, being destined for a foreign port, are transhipped from one vessel to another in any of the ports of His Highness the Sultan of Zanzibar, or which have been for this purpose provisionally landed and deposited in any of the Zanzibar custom-houses to await the arrival of a vessel in which to be reshipped abroad. But goods and merchandize so landed shall be exempted only provided that the consignee or his agent shall have, on the arrival of the ship, handed over the said goods to be kept under Customs seal, and declared them as landed for transshipment, designating at the same time the foreign port of destination, and also provided that the said goods are actually shipped for the same foreign port as originally declared, within a period not exceeding six months after their first landing, and without having in the interval changed owners.

2. All goods and merchandize which, not being consigned to a port within the dominions of the Sultan, have been inadvertently landed, provided that such goods and merchandize are reshipped on board of the same vessel and therein are transported abroad. Should, however, such goods or merchandize here spoken of be opened or removed from the custody of the Customs authorities, the full duty shall then be payable on the same.

3. Coals, naval provisions, stores and fittings, the property of Her Majesty's Government, landed in the dominions of His Highness for the use of the ships of Her Majesty's navy.

4. All goods and merchandize transhipped or landed for the repair of damage caused by stress of weather or other disasters at sea, provided the cargo so discharged shall be reshipped and taken away on board of the same vessel, or if the latter shall have been condemned, or her departure delayed, in any other.

5. Machines and implements for agricultural purposes, also all materials destined for the construction and maintenance of roads,

tramways, or railroads, and generally all means of conveyance certified by the attestation of a British Consular officer resident in Zanzibar dominions to be destined for countries inland and west of His Highness' dominions.

ARTICLE VIII.

Special Export Duties in Zanzibar.

His Highness the Sultan is further permitted to levy a special export duty, but only on the articles and to the amount hereafter stated, on such merchandize and native products coming from his own dominions, or from the interior of Africa, as are included in the annexed Tariff.

This special duty to be levied by and on behalf of His Highness the Sultan shall be paid (if such has not been previously done) at all events previous to the shipment of these articles out of the dominions of His Highness the Sultan. No distinction shall be made whether the said goods and native produce have their origin within the dominions of His Highness the Sultan, or come from districts of the African Continent beyond His Highness' frontiers.

But if the special duty on goods and produce above referred to has once been paid, the latter, whether in a raw or manufactured state, shall not be again taxed with other duties or imposts, levied by or on behalf of the Government of His Highness the Sultan, but may thereafter be reloaded free at any port in the dominions of His Highness, and be exported without further charge, always provided that they have not previously been landed and manufactured in a foreign country.

The High Contracting Parties reserve to themselves the right to claim a revision of the annexed special Tariff, after successive terms of five years, to begin to reckon from the day of the exchange of the ratifications of the Treaty, in order to allow of such alterations, additions, or amendments being made as experience may have shown to be necessary or desirable.

ARTICLE IX.

Special Duties to be in lieu of Monopoly Taxes.—5 per cent. ad valorem Duty on African Produce.

It is fully understood by the High Contracting Parties that the special duties referred to in Article VIII to be levied on behalf of His Highness the Sultan shall be in lieu of and as equivalent for—

1. The monopoly rights, which until now His Highness has been authorized by former Treaties to exercise over ivory and copal coming from certain districts on the coast. The taxes until now charged on these articles as monopoly taxes shall therefore cease and be abolished.

2. The duty of 5 per cent. *ad valorem*, or in kind, now levied on

goods, and produce of the dominions of His Highness the Sultan, and of the interior of Africa, at the first port of His Highness' dominions where such goods happen to be landed, and also the additional taxes which His Highness has for some time levied on certain goods or produce under the denomination of native taxes are abolished and shall cease.

It is understood that such other goods, merchandize, and produce brought by land from those districts of the African Continent to the west of the dominions of His Highness as are not included in the special Tariff now agreed upon, are not liable for duty of any description; they shall, on entering, leaving, and while within the dominions of His Highness, be free from all duties, taxes, and customs of His Highness' Government.

Taxation of British Subjects in Zanzibar.

It is also agreed between the High Contracting Parties that British subjects are not liable to be taxed by or on behalf of His Highness the Sultan, or his authorities, with any other duties, customs, or taxes than those before specified in Articles VII and VIII, whether for their persons, houses, lands, or goods.

ARTICLE X.

British Vessels in Zanzibar not to be exempt from Shipping, Harbour, or Tonnage Dues.

It is, however, agreed and understood by the High Contracting Parties that, in the event of an arrangement being entered into hereafter between His Highness and the Powers having Treaty relations with Zanzibar, and to which Great Britain shall be a consenting party, whereby vessels entering the port of Zanzibar shall be charged with shipping, tonnage, or harbour dues, such dues to be administered under the control of a special Board for the improvement of the harbour and construction and maintenance of lighthouses, &c., nothing in the aforementioned provisions shall be construed so as to exempt British vessels from payment of such shipping, harbour, or tonnage dues as may hereafter be agreed upon.

ARTICLE XI.

Manner in which Duties are to be Paid in Zanzibar.

It shall be at the option of the British subject in each case to pay the percentage duties stipulated in Articles VII and VIII either in cash, or, if the nature of the goods allow of it, in kind, by giving up an equivalent amount of the goods or produce.

In the event of payment being made in cash, the value of the merchandize, goods, or produce on which duty is to be levied shall be fixed according to the ready-money market price ruling at the time when the duty is levied. In the case of foreign imports the value

shall be fixed according to the market price at Zanzibar, and in that of native goods and produce by the market price at the place where the merchant shall choose to pay the duty.

In the event of any dispute arising between a British subject and the Custom-house authorities regarding the value of such goods, this shall be determined by reference to two experts, each party nominating one, and the value so ascertained shall be decisive. Should, however, these experts not be able to agree, they shall choose an umpire, whose decision is to be considered final.

ARTICLE XII.

Non-obstruction of Goods in Transit in Zanzibar.

His Highness the Sultan of Zanzibar engages by the present Treaty to provide, and give orders to his officials, that the movement of goods in transit shall not be obstructed or delayed in a vexatious manner by unnecessary Customs formalities and regulations, and that every facility will be given for their transport by land and river, and that as far as is consistent with the special provisions of this Treaty the principles approved of by the Congo Conference shall be carried out.

Erection of a Custom-house at Zanzibar.

His Highness further undertakes to see that a custom-house answering all requirements of commerce be erected at Zanzibar, with stores secure against fire, decay, or theft, for the protection of the goods placed therein. The conditions under which goods shall be stored, and the charges to be levied on account thereof, shall be subject to future agreement between His Highness the Sultan and the Representatives of the several Treaty Powers.

ARTICLE XIII.

Vessels in Distress.—Wrecks.—Salvage.

British vessels entering a port in the dominions of His Highness the Sultan of Zanzibar in distress shall receive from the local authorities all necessary aid to enable them to revictual and refit so as to proceed on their voyage.

Should a British vessel be wrecked off the coast of the mainland, or on one of the islands of His Highness' dominions, the authorities of His Highness shall render all assistance in their power to the distressed vessel, in order to save the ship, her cargo, and those on board; they shall also give aid and protection to persons saved, and shall assist them in reaching the nearest British Consulate; they shall further take every possible care that the goods so recovered are safely stored, and kept for the purpose of being handed over to the owner, captain, agent of the ship, or British Consul, subject always to rights of salvage.

His Highness' authorities shall further see that the nearest British Consulate is at once informed of such disaster having occurred.

Should a British vessel wrecked on the coast of the mainland, or islands, within the dominions of the Sultan of Zanzibar be plundered, the authorities of His Highness shall, as soon as they come to know thereof, render prompt assistance and take measures to pursue and punish the robbers, and recover the stolen property. Likewise, should a vessel of His Highness the Sultan of Zanzibar, or one of his subjects, enter a British port in distress, or be wrecked off the coast of Her Majesty's dominions, the like help and assistance shall be rendered by the British authorities.

ARTICLE XIV.

Seamen Deserters.

Should sailors or others belonging to a British ship of war, or merchant-vessel, desert and take refuge on shore or on board of any of His Highness' ships, the authorities of His Highness the Sultan of Zanzibar shall, upon request of a Consular official, or in his absence of the captain of the ship, take the necessary steps in order to have them arrested and delivered over to the Consular official or to the captain.

In this, however, the Consular officer and captain shall render every assistance.

So also the authorities of His Highness the Sultan, in case of men deserting from ships of His Highness the Sultan, or of his subjects, and who have taken refuge on board of a British vessel in harbour, or in the house of British subject on shore in Zanzibar, may apply to a British Consular official, or in his absence to the captain or house occupant, who, unless there is reason to the contrary, shall take the necessary steps to cause them to quit the vessel or premises, for the purpose of being returned to the captain or the Sultan's authorities.

ARTICLE XV.

Procedure in case of Goods of British Subjects landed in Zanzibar under a false Declaration, &c.

In the event of goods or produce the property of or consigned to a British subject being seized as having been landed or passed under a false declaration, and for the purpose of fraudulently evading payment of any duty or tax, the matter shall be immediately brought to the notice of the nearest British Consular authority, who shall thereupon inquire into the circumstances, and make such order therein as he shall see fit, with power to condemn and confiscate, either in whole or in part, for the benefit of His Highness the Sultan, the goods so seized, and, in addition, to punish the offender, if a British subject, with fine, which fine, if any, shall be paid over to His Highness.

ARTICLE XVI.

Consular Jurisdiction in Zanzibar Dominions.

Subjects of Her Britannic Majesty shall, as regards their person and property, enjoy within the dominions of His Highness the Sultan of Zanzibar the rights of extritoriality.

The authorities of His Highness the Sultan have no right to interfere in disputes between subjects of Her Britannic Majesty amongst themselves, or between them and members of other Christian nations—such questions, whether of a civil or criminal nature, shall be decided by the competent Consular authorities. The trial and also the punishment of all offences and crimes of which British subjects may be accused within the dominions of His Highness the Sultan, also the hearing and settlement of all civil questions, claims, or disputes in which they are the defendants is expressly reserved to the British Consular authorities and Courts, and removed from the jurisdiction of His Highness the Sultan.

Should disputes arise between a subject of His Highness the Sultan, or other non-Christian Power not represented by Consuls at Zanzibar, and a subject of Her Britannic Majesty, in which the British subject is the plaintiff or the complainant, the matter shall be brought before and decided by the highest authority of the Sultan, or some person specially delegated by him for this purpose. The proceedings and final decision in such a case shall not, however, be considered legal unless notice has been given and an opportunity afforded for the British Consul or his substitute to attend at the hearing and final decision.

ARTICLE XVII.

Protection of Zanzibaris, &c., in Service of British Subjects.

Subjects of His Highness the Sultan or any non-Christian nation not represented by Consuls at Zanzibar, who are in the regular service of British subjects, within the dominions of His Highness the Sultan of Zanzibar, shall enjoy the same protection as British subjects themselves. Should they be charged with having committed a crime or serious offence punishable by law, they shall, on sufficient evidence being shown to justify further proceedings, be handed over by their British employers or by order of the British Consuls to the authorities of His Highness the Sultan for trial and punishment.

ARTICLE XVIII.

Procedure in case of Bankruptcy of British Subjects.

Should a subject of Her Majesty, residing in the dominions of His Highness the Sultan of Zanzibar, be adjudicated bankrupt, the British Consul shall take possession of, recover, and realize all available

property and assets of such bankrupt, to be dealt with and distributed according to the provisions of British Bankruptcy Law.

ARTICLE XIX.

Recovery of Debts by British Subjects from Zanzibaris.

Should a subject of His Highness the Sultan of Zanzibar resist or evade payment of the just and rightful claims of a British subject, the authorities of His Highness the Sultan shall afford to the British creditor every aid and facility in recovering the amount due to him. In like manner the British Consul shall afford every aid and facility to subjects of His Highness the Sultan of Zanzibar in recovering debts justly due to them from a British subject.

ARTICLE XX.

Estates of Deceased British Subjects.

Should a British subject die within the dominions of His Highness the Sultan of Zanzibar, or, dying elsewhere, leave property therein, movable or immovable, the British Consul shall be authorized to collect, realize, and take possession of the estate of the deceased, to be disposed of according to the provisions of British law.

ARTICLE XXI.

Inviolability of Dwellings, &c., of British Subjects.

The houses, dwellings, warehouses, and other premises of British subjects or of persons actually in their regular service within the dominions of His Highness the Sultan of Zanzibar shall not be entered or searched, under any pretext by the officials of His Highness, without the consent of the occupier, unless with the cognizance and assistance of the British Consul or his substitute.

ARTICLE XXII.

British Residents in Zanzibar not to be exempt from Municipal and Sanitary Taxes.

It is hereby agreed between the two High Contracting Parties that, in the event of an agreement being hereafter arrived at between His Highness the Sultan of Zanzibar and the various Powers with which His Highness shall be in Treaty relations, including Great Britain, which must be a consenting party, whereby the residents of a district or town shall, without distinction of nationality, be made subject to the payment of local taxes, for municipal and sanitary purposes, the same to be fixed and administered by or under the control of a special Board, nothing contained in this Treaty shall be understood so as to exempt British residents from the payment of such taxes.

ARTICLE XXIII.

Liberty of Conscience—Freedom of Religious Worship.

Subjects of the two High Contracting Parties shall, within the dominions of each other, enjoy freedom of conscience and religious toleration. The free and public exercise of all forms of religion, and the right to build edifices for religious worship, and to organize religious missions of all creeds, shall not be restricted or interfered with in any way whatsoever.

Missionaries, scientists, and explorers, with their followers, property, and collections, shall likewise be under the especial protection of the High Contracting Parties.

ARTICLE XXIV.

Application of Treaty to British Colonies.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

The Dominion of Canada.	Queensland.
Newfoundland.	Tasmania.
The Cape.	South Australia.
Natal.	Western Australia.
New South Wales.	New Zealand.
Victoria.	

Provided always, that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Zanzibar to His Highness the Sultan within two years from the date of the exchange of the ratifications of the present Treaty.

ARTICLE XXV.

English Text of Treaty to be decisive in case of Disputes.

The present Treaty has been executed in quadruplicate, two copies being written in English and two in Arabic. These are understood to be of similar import and signification; in the event, however, of doubt hereafter arising as to the proper interpretation of the English or Arabic text of one or other of the Treaty stipulations, the English text shall be considered decisive. The Treaty shall come into operation on the first day of the next Zanzibar financial year, or if the ratifications have not been previously exchanged, within one month after the date when this may take place,

ARTICLE XXVI.

Duration of Treaty.

The present Treaty shall remain in force for a period of fifteen years, to reckon from the day of the exchange of ratifications.

Revision of Treaty.

It shall be competent for the High Contracting Parties thereafter to move for a revision of the present Treaty, in order to allow of such alterations, additions, or amendments as experience may have shown to be necessary or desirable; but such a motion must be notified by the party claiming a revision one year previous to the expiration of the present Treaty, otherwise what is herein agreed upon shall be considered binding upon both parties for a further period of ten years.

ARTICLE XXVII.

Ratifications.

The present Treaty shall be ratified, and the ratifications exchanged at Zanzibar as soon as possible.

In faith whereof the respective Plenipotentiaries have signed this Treaty, and have affixed thereto their seals.

Done in quadruplicate, in the English and Arabic languages, at Zanzibar, the 30th day of April, in the year of our Lord 1886, corresponding with the 25th day of Rejeb, of the year of the Hejira 1303.

(L.S.) JOHN KIRK.

(L.S.) (Signature in Arabic.)

TARIFF.

Tariff of the special Duties referred to in the body of the Treaty, which His Highness the Sultan of Zanzibar shall be entitled to levy on such merchandize and produce as are herein named, brought to the ports in His Highness' dominions, whether from his own territories or from districts on the African Continent which lie beyond.

1. Ivory	15	per cent.	<i>ad valorem</i> .
2. Copal	15	"	"
3. India-rubber	15	"	"
4. Cloves, without distinction as to origin	30	"	"
5. Semsam	12	"	"
6. Orchilla weed coming from the districts between Kisnayu and Warsheikh, both ports included	5	"	"
From all other districts	10	"	"
7. Ebony	5	"	"

8. Borties (Zanzibar poles and rafters)...	10 per cent. <i>ad valorem</i> .
9. Hides	10 " "
10. Rhinoceros horn and hippopotamus teeth	10 " "
11. Tortoiseshell	10 " "
12. Cowry shells	5 " "
13. Native tobacco	25 " "
14. Chillies	10 " "
15. Ground nuts	12 " "
16. Indian corn, Caffre corn, mawele, lentils, and all other similar grains	Dol. c.
and legumes	0 35 per gizla.*
17. Rice in husk	0 25 " "
18. Chiroko	1 10 " "
19. Camels	2 00 each.
Horses	10 00 " "
Cattle	1 00 " "
Sheep and goats	0 25 " "

Explanatory Note.

It is fully understood by the High Contracting Parties that—

*Produce of Zanzibar and of adjacent Territory not mentioned in
Tariff to be free from Duty.*

1. Merchandize and produce of all kinds, originating whether within the Sultanate of Zanzibar or from the territories to the west of His Highness' dependencies on the mainland of Africa, and which are not mentioned in this Tariff, shall be free of any duty.

*Goods from Foreign Ports included in Tariff to pay 5 per cent.
ad valorem Duty.*

2. That merchandize and produce included in the special Tariff, imported by sea from a foreign port into the dominions of His Highness the Sultan, shall be liable to pay the import duty of 5 per cent. *ad valorem* only, as is provided in this Treaty.

*Produce of Estates of British Subjects held previous to Treaty not to be
affected.*

3. That should Her Majesty's Government think fit, the produce of estates held by British subjects within the dominions of His Highness the Sultan of Zanzibar previous to the conclusion of this Treaty shall be in no way affected by any of the provisions thereof; but a list of such estates shall in such case be prepared and agreed to.

(Signed). JOHN KIRK.

(Signed). (Signature in Arabic.)

* This shall be a measure containing 360 lbs. weight of Caffre corn.

APPENDIX.

CHINA.

TARIFF ON EXPORTS.*

Articles.	Quantities.	Duty.			
		T.	M.	C.	C.
Alum	Per 100 catties...	0	0	4	5
„ green, or copperas	„ ...	0	1	0	0
Aniseed, star	„ ...	0	5	0	0
„ broken	„ ...	0	2	5	0
„ oil	„ ...	5	0	0	0
Apricot seeds, or almonds	„ ...	0	4	5	0
Arsenic	„ ...	0	4	5	0
Artificial flowers	„ ...	1	5	0	0
Bamboo ware	„ ...	0	7	5	0
Bangles or glass armlets	„ ...	0	5	0	0
Beans and peas (except from New-chwang and Tang-chow)	„ ...	0	0	6	0
Bean-cake (except from New-chwang and Tang-chow)	„ ...	0	0	3	5
Bone and horn ware	„ ...	1	5	0	0
Brass buttons	„ ...	3	0	0	0
„ foil	„ ...	1	5	0	0
„ ware	„ ...	1	0	0	0
„ wire	„ ...	1	1	5	0
Camphor	„ ...	0	7	5	0
Canes	Per 1,000 ...	0	5	0	0
Cantharides	Per 100 catties...	2	0	0	0
Capoor cutcherry	„ ...	0	3	0	0
Carpets and druggets	Per 100 ...	3	5	0	0
Cassia lignea	Per 100 catties...	0	6	0	0
„ buds	„ ...	0	8	0	0
„ twigs	„ ...	0	1	5	0
„ oil	„ ...	9	0	0	0
Castor oil	„ ...	0	2	0	0
Chestnuts	„ ...	0	1	0	0
China root... ..	„ ...	0	1	3	0
Chinaware, fine	„ ...	0	9	0	0
„ coarse	„ ...	0	4	5	0
Cinnabar	„ ...	0	7	5	0
Clothing, cotton	„ ...	1	5	0	0
„ silk	„ ...	10	0	0	0
Coal	„ ...	0	0	4	0
Coir	„ ...	0	1	0	0
Copper ore	„ ...	0	5	0	0
„ sheathing, old	„ ...	0	5	0	0
Copper and pewter ware	„ ...	1	1	5	0
Corals, false	„ ...	0	3	5	0
Cotton, raw	„ ...	0	3	5	0
„ rags	„ ...	0	0	4	5
Cow bezoar	Per catty ...	0	3	6	0

* This Tariff, annexed to the Agreement of November 8, 1858 (see p. 74), has not yet been revised as contemplated by Article VIII, § 7, of the Treaty of September 5, 1902 (see p. 177).

Articles.	Quantities.	Duty.
		T. M. C. C.
Crackers, fireworks...	Per 100 catties...	0 5 0 0
Cubebs ...	"	1 5 0 0
Curiosities, antiques ...	"	5 per cent. <i>ad val.</i>
Dates, black ...	Per 100 catties...	0 1 5 0
" red ...	"	0 0 9 0
Dye, green ...	Per catty ...	0 8 0 0
Eggs, preserved ...	Per 1,000 ...	0 3 5 0
Fans, feather ...	Per 100 ...	0 7 5 0
" paper ...	"	0 0 4 5
" palm-leaf, trimmed ...	Per 1,000 ...	0 3 6 0
" " untrimmed...	"	0 2 0 0
Felt cuttings ...	Per 100 catties...	0 1 0 0
" caps ...	Per 100 ...	1 2 5 0
Fungus or agaric ...	Per 100 catties...	0 6 0 0
Galangal ...	"	0 1 0 0
Garlic ...	"	0 0 3 5
Ginseng, native ...	"	5 per cent. <i>ad val.</i>
" Corean or Japan, 1st quality	Per catty ...	0 5 0 0
" " " 2nd "	"	0 3 5 0
Glass beads ...	Per 100 catties...	0 5 0 0
" or vitrified ware ...	"	0 5 0 0
Grass cloth, fine ...	"	2 5 0 0
" coarse...	"	0 7 5 0
Ground-nuts ...	"	0 1 0 0
" cake ...	"	0 0 3 0
Gypsum, ground, or plaster of Paris ...	"	0 0 3 0
Hair, camels' ...	"	1 0 0 0
" goats' ...	"	0 1 8 0
Hams ...	"	0 5 5 0
Hartall or orpiment ...	"	0 3 5 0
Hemp ...	"	0 3 5 0
Honey ...	"	0 9 0 0
Horns, deer's, young ...	Per pair ...	0 9 0 0
" " old ...	Per 100 catties...	1 3 5 0
Indian ink ...	"	4 0 0 0
Indigo, dry ...	"	1 0 0 0
Ivory ware...	Per catty ...	0 1 5 0
Joss-sticks...	Per 100 catties...	0 2 0 0
Kittysols or paper umbrellas	Per 100 ...	0 5 0 0
Lacquered ware ...	Per 100 catties...	1 0 0 0
Lamp-wicks ...	"	0 6 0 0
Lead, red (minium)...	"	0 3 5 0
" white (ceruse) ...	"	0 3 5 0
" yellow (massicot) ...	"	0 3 5 0
Leather articles, as pouches, purses ...	"	1 5 0 0
" green ...	"	1 8 0 0
Liches ...	"	0 2 0 0
Lily flowers, dried ...	"	0 2 7 0
" seeds or lotus nuts ...	"	0 5 0 0
Liquorice ...	"	0 1 3 5
Lung-ngan...	"	0 2 5 0
" without the stone ...	"	0 3 5 0
Manure cakes or poudrette ...	"	0 0 9 0
Marble slabs ...	"	0 2 0 0
Mats of all kinds ...	Per 100 ...	0 2 0 0
Matting ...	Per roll of 40 yds.	0 2 0 0
Melon seeds ...	Per 100 catties...	0 1 0 0
Mother-o'-pearl ware ...	Per catty ...	0 1 0 0

Articles.	Quantities.	Duty.			
		T.	M.	C.	C.
Mushrooms	Per 100 catties...	1	5	0	0
Musk	Per catty	0	9	0	0
Nankeen and native cotton cloths ..	Per 100 catties...	1	5	0	0
Nutgalls	"	0	5	0	0
Oil, as bean, tea, wood, cotton, and hemp-seed	"	0	3	0	0
Oiled paper	"	0	4	5	0
Olive seed	"	0	3	0	0
Oyster shell, sea-shells	"	0	0	9	0
Paint (green)	"	0	4	5	0
Palampore or cotton bed-quilts	Per 100	2	7	5	0
Paper, 1st quality	Per 100 catties...	0	7	0	0
" 2nd "	"	0	4	0	0
Pearls, false	"	2	0	0	0
Peel, orange	"	0	3	0	0
Peel, Pumelo, 1st quality	"	0	4	5	0
" " 2nd "	"	0	1	5	0
Peppermint leaf	"	0	1	0	0
" oil	"	3	5	0	0
Pictures and paintings	Each	0	1	0	0
" on pith or rice paper	Per 100	0	1	0	0
Pottery, earthenware	Per 100 catties...	0	0	5	0
Preserves, comfits, and sweetmeats ..	"	0	5	0	0
Rattans, split	"	0	2	5	0
Rattan-ware	"	0	3	0	0
Rhubarb	"	1	2	5	0
Rice or paddy, wheat, millet, and other grains	"	0	1	0	0
Rugs, of hair or skin	Each	0	0	9	0
Samshoo	Per 100 catties...	0	1	5	0
Sandalwood ware	Per catty	0	1	0	0
Seaweed	Per 100 catties...	0	1	5	0
Sesamum seed	"	0	1	3	5
Shoes and boots, leather or satin ..	Per 100 pairs	3	0	0	0
" straw	"	0	1	8	0
Silk, raw and thrown	Per 100 catties...	10	0	0	0
" yellow, from Szechuan	"	7	0	0	0
" reeled, from dupions	"	5	0	0	0
" wild raw	"	2	5	0	0
" refuse	"	1	0	0	0
" cocoons	"	3	0	0	0
" floss, Canton	"	4	3	0	0
" " from other provinces	"	10	0	0	0
" ribbons and thread	"	10	0	0	0
" piece-goods : pongees, shawls, scarfs, crape, satin, gauze, velvet, and embroidered goods ..	"	12	0	0	0
" piece-goods : Szechuan and Shan- tung	"	4	5	0	0
" tassels	"	10	0	0	0
" caps	Per 100	0	9	0	0
" and cotton mixtures	Per 100 catties...	5	5	0	0
Silver and gold ware	"	10	0	0	0
Snuff	"	0	8	0	0
Soy	"	0	4	0	0
Straw braid	"	0	7	0	0
Sugar, brown	"	0	1	2	0
" white	"	0	2	0	0
" candy	"	0	2	5	0

Articles.	Quantities.	Duty.			
		T.	M.	C.	C.
Tallow, animal	Per 100 catties...	0	2	0	0
„ vegetable	„ ...	0	3	0	0
Tea	„ ...	2	5	0	0
Tinfoil	„ ...	1	2	5	0
Tobacco, prepared	„ ...	0	4	5	0
„ leaf	„ ...	0	1	5	0
Tortoiseshell ware	Per catty ...	0	2	0	0
Trunks, leather	Per 100 catties...	1	5	0	0
Turmeric	„ ...	0	1	0	0
Twine, hemp, Canton	„ ...	0	1	5	0
Twine, hemp, Soo-chow	„ ...	0	5	0	0
Turnips, salted	„ ...	0	1	8	0
Varnish, or crude lacquer	„ ...	0	5	0	0
Vermicelli	„ ...	0	1	8	0
Vermilion	„ ...	2	5	0	0
Wax, white or insect	„ ...	1	5	0	0
Wood, piles, poles, and joists	Each ...	0	0	3	0
„ ware	Per 100 catties...	1	1	5	0
Wool	„ ...	0	3	5	0

(L.S.) ELGIN AND KINCARDINE.

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SUPPLEMENT.

**TREATIES, &c., WHICH HAVE COME INTO FORCE
SINCE JULY 1, 1907.**

SUBJECT

SINCE JULY 1, 1905
TERMINATED AND WHICH HAVE COME INTO FORCE

BULGARIA.

No. 1.**CONVENTION OF COMMERCE, CUSTOMS DUTIES, AND NAVIGATION
BETWEEN GREAT BRITAIN AND BULGARIA.**

*Signed at Sofia, December 9, 1905.**

[Ratifications exchanged at Sofia, November 26, 1907.]

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, on the one part, and His Royal Highness the Prince of Bulgaria on the other part, being desirous to extend and facilitate the relations of commerce already existing between the two countries, have determined to conclude a new Convention with this object, and have appointed as their Plenipotentiaries, that is to say :

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, Sir George William Buchanan, Knight Commander of the Royal Victorian Order, Companion of the Most Honourable Order of the Bath, His Britannic Majesty's Agent and Consul-General at Sofia;

And His Royal Highness the Prince of Bulgaria, Monsieur Dimitri Stancioff, Doctor at Law, Minister Plenipotentiary, Grand Cross of the National Order for Merit, Grand Officer of the Princely Order of St. Alexander in brilliants;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Freedom of Commerce and Navigation.—Taxes, &c.—National and Most-favoured-nation Treatment.

There shall be full and complete freedom of commerce and navigation between the territories of the two Contracting Parties.

* Signed also in French.

The subjects of each of the two Contracting Parties shall not be subject, in respect of their commerce or industry in any port, town, or place of the respective countries, whether they may be established or temporarily residing in them, to any taxes, imposts, or licences of any kind whatever other or greater than those which may be imposed upon native subjects or subjects or citizens of the most favoured nation.

Commerce, Navigation, and Industry.—National Treatment.

Any privileges, immunities, and other favours in matters of commerce, industry, and navigation which are or may be enjoyed by the native subjects of one of the Contracting Parties shall be extended to those of the other.

ARTICLE II.

Exemption from Military Service, Requisitions, &c.

The subjects of either of the two Contracting Parties in the territories of the other shall be exempted from all military service and from any military exactions and requisitions.

Owners of Landed Property.—National and Most-favoured-nation Treatment.

The charges connected with the possession, by any title, of landed property are excepted, as well as the military exactions and requisitions to which all subjects of the country and subjects or citizens of the most favoured nation may be liable as owners or occupiers of real property.

Exemption from Municipal, &c., Functions, except Jury Service.

They shall be equally exempted from all obligatory official functions whatever—judicial, administrative, or municipal—other than those imposed by the laws relating to juries.

ARTICLE III.

*Trade and Industry, Agents, Acquisition of Houses, Warehouses, &c.
—National and Most-favoured-nation Treatment.*

The subjects of each of the Contracting Parties, in any place whatever in the possessions of the other, shall have the right to exercise any kind of industry whatever, to carry on trade, either wholesale or retail, in all products, manufactured objects and articles of lawful commerce, either in person or by their agents, alone or in partnership with foreigners or native

subjects; they shall have the right to acquire, hire, and occupy houses and shops, to acquire, hire, and possess land, subject to their conforming, like native subjects themselves or subjects or citizens of the most favoured nation, to the laws and regulations of the respective countries.

ARTICLE IV.

Import and Export Duties.—Most-favoured-nation Treatment.

Each of the two Contracting Parties engages to extend to the other, immediately and without compensation, any favour, privilege, or reduction as regards the tariffs of import or export duties on articles whether mentioned or not in the present Convention, which is or may be granted by one of them to a third foreign Power.

Prohibitions of Importation and Exportation.—Most-favoured-nation Treatment.

The Contracting Parties further engage not to establish towards each other, except on sanitary grounds or to prevent the spread of the diseases of animals or the destruction of crops, or in the case of bounty-fed goods, or in view of warlike events, any duty or prohibition on importation or exportation which shall not at the same time be applicable to other foreign States.

Warehousing, Bounties, Drawbacks, Re-exportation, Transit, Customs, &c.—National and Most-favoured-nation Treatment.

British subjects and goods in Bulgaria, and Bulgarian subjects and goods in the United Kingdom of Great Britain and Ireland, shall enjoy perfect equality of treatment with native subjects and goods and with the subjects or citizens and goods of any other foreign country in all that concerns consumption, warehousing, bounties, drawbacks, facilities, re-exportation, transit, transshipment, the accomplishment of Customs formalities, and, in general, in all that relates to the exercise of commerce or industry.

ARTICLE V.

Bulgarian Goods in United Kingdom.—Most-favoured-nation Treatment.

Merchandise of Bulgarian origin or manufacture shall be admitted, on importation into the United Kingdom of Great Britain and Ireland, to the enjoyment of the advantages of the lowest duties applicable to similar merchandise originating from other foreign countries which are or may be established.

British Goods subject to Tariff.

Merchandise of British origin or manufacture shall pay, on its entry into Bulgaria, the duties specified in the Tariff annexed to the present Convention.

ARTICLE VI.

Internal Duties.—National and Most-favoured-nation Treatment.

The internal duties levied on account of the State, communes, or corporations which are or shall be imposed on the produce, manufacture, or consumption of an article in the territories of one of the Contracting Parties shall not, under any pretence whatever, be applied to the produce of the other to a higher or more vexatious extent than to the native produce of the same kind or the produce of the most favoured nation.

Imports Warehoused or in Transit Exempted.

The produce of the soil and industry of one of the countries imported into the other for the purpose of warehousing or transit shall not be subjected to any internal duty.

ARTICLE VII.

*Commercial Travellers.—Most-favoured-nation Treatment.—
Certificates, Taxes on Licences, &c.*

The stipulation of this Convention with regard to the granting of the treatment of the most favoured nation applies unconditionally to the treatment of commercial travellers and their samples.

It is agreed that the Legitimation Certificates for commercial travellers representing British houses can be granted by Chambers of Commerce in the United Kingdom according to the form appended hereto. Commercial travellers must be provided, in accordance with Article 6 of the Bulgarian Law of the ^{20th March} 8th April, 1905, relating to commercial travellers with a special licence, the tax on which, levied for the profit of the State, shall not exceed 150 francs for the entire year and 100 francs for six months, if the commercial traveller represents a single commercial house. If he represents more than one, this tax is increased by an additional 100 francs for the whole year and by 50 francs for six months.

It is understood that these taxes are only payable by the house of business, and that, in consequence, the tax is only to be paid once, whether the house of business sends one or several commercial travellers in its service.

ARTICLE VIII.

Vessels and Cargoes.—National Treatment.

Bulgarian vessels and their cargoes in the United Kingdom, and British vessels and their cargoes in Bulgaria, whether arriving directly from the country of origin or from any other country, and whatever may be the place of origin or the destination of their cargoes, shall enjoy in all respects the same treatment as national vessels and their cargoes.

Duties, &c., on Vessels.—National Treatment.

No duties, taxes, or charges of any kind levied under any denomination, on the hull, the flag, or the cargo of a vessel, in the name or for the profit of Government, public functionaries, individuals, corporations, or establishments of any kind, shall be imposed on the vessels of one of the two States in the ports of the other on their arrival, during their stay or departure, which are not equally and under the same conditions imposed on national vessels.

ARTICLE IX.

National Vessels.

All vessels which, according to British law, are deemed to be British vessels, and all vessels which, according to Bulgarian law, are deemed to be Bulgarian vessels, shall, for the purposes of the present Convention, be deemed British and Bulgarian vessels respectively.

ARTICLE X.

Stationing, Loading and Unloading of Vessels.—National and Most-favoured-nation Treatment.

In all that regards the stationing, loading, and unloading of vessels in the ports, roadsteads, harbours, docks, rivers, or canals, and generally in respect of all the formalities and provisions of all kinds applicable to merchant-vessels, their crews and cargoes, no privileges or favours shall be granted to national vessels of either State which shall not be equally granted to vessels of the other, the intention of the Contracting Parties being that in this respect British and Bulgarian vessels shall be treated on the footing of perfect equality, and shall reciprocally enjoy the advantages granted to the most favoured nation.

ARTICLE XI.

No Duty on Undischarged Cargo.

Bulgarian vessels entering a British port, and reciprocally British vessels entering a Bulgarian port, for the purpose of

discharging a portion only of their cargo, may, on compliance with the laws and regulations of the respective States, retain on board that portion of their cargo which is destined for another port, whether in the same or in another country, and may re-export the same without having to pay any customs duty for this latter portion of their cargo.

ARTICLE XII.

Coasting Trade.—Most-favoured-nation Treatment.

Vessels of either of the Contracting States shall enjoy in the other the treatment accorded to the most favoured nation in all that concerns the coasting trade.

Port to Port Trade.

British and Bulgarian vessels may proceed from a port of either of the two States to one or more ports of the same State, either for the purpose of discharging the whole or part of their cargo brought from abroad or of taking on board the whole or part of their cargo for a foreign destination.

ARTICLE XIII.

Tonnage, Harbour, Pilotage, Light, and Quarantine Dues.—National and Most-favoured-nation Treatment.

British ships and goods in Bulgaria, and Bulgarian ships and goods in the United Kingdom shall enjoy, as regards tonnage, port, pilotage, light, and quarantine dues, and all similar duties levied in the ports, docks, roadsteads, and harbours of the contracting countries, and in all other respects, the same treatment as native ships and goods and as those belonging to the most favoured nation.

ARTICLE XIV.

Vessels in Distress.—National Treatment.

Any vessel of either of the two States which may be compelled by stress of weather or by accident at sea to take shelter in a port of the other State shall be at liberty to refit there, to procure all necessary stores, and to put to sea again without paying any dues other than such as would be payable in a similar case by a vessel under the national flag.

Wrecks.

In case of wreck or running aground, the vessel, or the parts thereof, the ship's papers, and all goods and merchandize saved from the wreck or the proceeds thereof, if sold, shall be given up to the owners or their agents, when claimed by them.

Salvage.—National Treatment.

The intervention of the local authorities in salvage operations shall not give rise to the payment of dues of any kind other than those necessitated by the salvage operations and the preservation of the property saved, or other than those to which national vessels would be subjected in a similar case.

The Contracting Parties agree, moreover, that merchandize and goods saved shall not be subjected to the payment of any customs duty unless destined for internal consumption.

ARTICLE XV.

Trade Marks.—National Treatment.

The subjects of each of the Contracting States shall enjoy in the other the same protection as native subjects in all that concerns the ownership of trade and commercial marks, upon fulfilment of the formalities prescribed by the respective laws of the two countries as regards this matter.

ARTICLE XVI.

Fisheries.—Most-favoured-nation Treatment.

The stipulations of the present Convention do not apply to the advantages which are or may be accorded to the produce of national fisheries.

Nevertheless, the subjects of the two Contracting Parties shall enjoy the treatment of the most favoured nation in this matter.

ARTICLE XVII.

Favours to adjoining States.

The preceding provisions do not apply to—

1. The favours already granted, or which may be granted in the future, to adjoining States to facilitate local traffic within a zone corresponding to the frontier district of each of the two countries, but not exceeding 15 kilom. in breadth on each side of the frontier ;

Obligations of Customs Unions.

2. The obligations imposed on one of the two Contracting Parties by the stipulations of a Customs Union already concluded or which may be concluded in the future.

ARTICLE XVIII.

Controversies as to Tariffs or Interpretation or Application of Convention to be settled by Arbitration.

Any controversies which may arise between the Contracting Parties regarding the interpretation or application of the Tariffs annexed to the present Convention, including the additional stipulations concerning these Tariffs, as well as the rates of the Conventional Tariffs agreed upon between the Contracting Parties and third States, shall, on the demand of one or the other of the Contracting Parties, be adjusted by means of arbitration.

The Court of Arbitration shall, in each case, be constituted by each of the Contracting Parties naming an Arbitrator from among the competent subjects of its country, and by the two Contracting Parties choosing a subject of a third friendly country to act as Umpire. The Contracting Parties reserve the right to come to an understanding in advance and for a given period upon the choice of the person to be appointed as Umpire.

Should occasion require, and subject to a special understanding to that effect, the Contracting Parties will equally submit to arbitration controversies regarding the interpretation or application of the present Convention, other than those which are mentioned in the first paragraph.

ARTICLE XIX.

Annexes and Final Protocol to be part of Convention.

The Annexes as well as the Final Protocol shall be considered as forming an integral part of the present Convention.

ARTICLE XX.

Application to Colonies.

The stipulations of the present Convention shall not be applicable to any Colony, Possession, or Protectorate of His Britannic Majesty beyond the seas, unless notice to that effect shall have been given on behalf of any such Colony, Possession, or Protectorate, by His Britannic Majesty's Representative at Sofia, to the Minister for Foreign Affairs of His Royal Highness the Prince of Bulgaria, within one year from the date of the exchange of the ratifications of the present Convention.

British Colonial Produce.—Reciprocal Most-favoured-nation Treatment.

Nevertheless, the goods produced or manufactured in any of His Britannic Majesty's Colonies, Possessions, or Protectorates

shall enjoy in Bulgaria complete and unconditional most-favoured-nation treatment so long as such Colony, Possession, or Protectorate shall accord to goods of Bulgarian origin or manufacture treatment as favourable as it gives to the similar produce or manufacture of any other foreign country.

Right of Colonies to separately Terminate Convention.

His Britannic Majesty's Government shall also have the right to terminate separately the present Convention, at any time, on giving twelve months' notice to that effect, on behalf of any British Colony, Possession, or Protectorate which may have adhered thereto.

Cyprus.

It is understood that the provisions of this Article apply equally to the Island of Cyprus.

ARTICLE XXI.

Ratification and Duration of Convention.

The present Convention shall be ratified, and the ratifications shall be exchanged at Sofia as soon as possible. It shall come into effect on the 1st/14th January, 1906; it shall remain in force until the 1st/14th January, 1911.

In case neither of the Contracting Parties shall have given notice to the other, twelve months before the expiration of the said period, of the intention to terminate the present Convention, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

(L.S.) GEORGE W. BUCHANAN.
(L.S.) STANCIOFF.

Modèle.

CARTE DE LÉGITIMATION POUR VOYAGEURS
DE COMMERCE.

(Armoiries.)

Pour l'année.....

No. de la carte.....

VALABLE POUR LE ROYAUME-UNI DE LA GRANDE-BRETAGNE
ET D'IRLANDE ET LA BULGARIE.

PORTEUR:

(Prénom et nom de famille.)

Fait à.....le (jour, mois, année).
(Sceau.) (Autorité compétente.)
Signature.

IL est certifié que le porteur de la présente carte.....
 { possède un (*désignation de la fabrique ou du commerce*) à.....
 { sous la raison
 { est employé, comme voyageur de commerce, dans la maison
 { à qui y possède un (*désignation*
 { *de la fabrique ou du commerce*).

Le porteur de la présente carte désirant rechercher des
commandes et faire des achats pour le compte de sa maison,
ainsi que de la maison suivante [*ou des maisons suivantes*]
(*désignation de la fabrique ou du commerce*) à
il est certifié, en outre, que ladite maison est tenue [*ou lesdites*
maisons sont tenues] d'acquitter dans ce pays-ci les impôts
légaux pour l'exercice de son [*ou leur*] commerce (industrie).

Signalement du Porteur:

Age
Taille.....
Cheveux
Signes particuliers.....

Signature:

AVIS.

Le porteur de la présente carte ne pourra rechercher des
commandes ou faire des achats autrement qu'en voyageant et
pour le compte de la maison susmentionnée [*ou des maisons*
susmentionnées]. Il pourra avoir avec lui des échantillons,
mais point de marchandises. Il se conformera, d'ailleurs, aux
dispositions en vigueur dans chaque État.

Nota.—Là où le modèle ci-dessus contient un double texte, le
formulaire à employer pour l'expédition des cartes présentera l'espace
nécessaire pour y insérer l'un ou l'autre des textes, suivant les circon-
stances du cas particulier.

TARIFF.—Import Duties in Bulgaria.

In so far as the tax on any article depends on the taxation of any other article specified in the present Tariff, such tax shall be calculated according to the rate laid down in the Convention, and not according to the tax specified in the General Bulgarian Tariff.

During the term of the Convention signed on the 9th December, 1905, the import duties on the goods specified below shall not exceed the rates scheduled as follows:—

Tariff Number.	Classification.	Duty per 100 kilog.
<i>Articles of Food.</i>		
40	Rice—	Fr. c.
	(a.) Hulled	5 00
	(b.) Unhulled	4 00
109	Fruit jams, compotes, marmalades, with sugar or honey, fruit pastes called "Majune"	40 00
110	Sweets of all kinds, and preserved fruits	60 00
115	Sweet biscuits of all kinds	30 00
<i>Miscellaneous.</i>		
134	Soap—	
	(a.) For washing and other ordinary use	12 00
294	Prepared hides and skins—	
	(a.) Sole leather of all sorts and qualities, entire, in half-skins, or in pieces, not specified; imitation leather made from leather parings	80 00
	(f.) Split leather of all kinds	150 00
<i>Cotton: Raw Cotton, Cotton Yarns, and Tissues.</i>		
355	Cotton, raw, carded or combed, and cotton waste ...	20 00
	Cotton, raw, imported into Bulgaria under the conditions provided in the Law of the 25th January, 1905, on the encouragement of national industry and commerce	Free.
358	Cotton yarns, single, "Soulan," unbleached—	
	(b.) From No. 15 to No. 24, inclusive	25 00

Tariff Number.	Classification.	Duty per 100 kilog.
	<i>Cotton: Raw Cotton, Cotton Yarns, and Tissues—cont.</i>	Fr. c.
359	Cotton yarns, twisted, unbleached— (b.) From No. 15 to No. 24, inclusive	30 00
360	Cotton yarns, twisted or not, bleached— (b.) From No. 15 to No. 24, inclusive	35 00
361	Cotton yarns, twisted or not, dyed in one or more colours— (b.) From No. 15 to No. 24, inclusive	45 00
362	"Fils de tiré" (sewings) and twisted yarns in hanks— (a.) Bleached	36 00
	(b.) Dyed	60 00
363	Cotton sewing and crochet thread, in balls, on bobbins or cards, in skeins, or in other forms, bleached or dyed	90 00
365	Cotton tissues, unbleached... ..	40 00
366	Cotton tissues, bleached or dyed after weaving, of one colour, plain or twilled, with the exception of those specially mentioned	55 00
367	Cotton tissues, manufactured with yarn dyed in one or several colours	65 00
368	Cotton tissues known as "Barchets," "Calmuks," flannels ("maillots") and quiltings, cotton tissues printed (calicos), damasked or not, cambrics and crétonnes, printed handkerchiefs and coverings in the piece, reps and other similar tissues, printed	75 00
ex 368	Flannelettes, printed, weighing from 140 to 200 grammes per square metre	70 00
369	Fine cotton tissues, woven, embroidered, bleached or not, dyed or printed, with the exception of tulles and laces	100 00
371	Velvets and plushes of cotton	140 00
372	Curtains, coverings, handkerchiefs, towels, sheets, and other similar articles, in the piece, dyed or not, combined or not with threads of common metals, and with other threads of vegetable textiles	100 00
376	Cotton laces, tulles, and embroideries, pure or mixed with other vegetable textiles and with threads of common metals, gilded or silvered	350 00
	<i>Jute Tissues.</i>	
399	Jute tissues— (a.) For packing, for mattresses, &c.	12 00
400	Bags and sacks of jute tissue	10 00
	<i>Remark.</i> —Sacks for use in the export of cereals are free.	
402	Jute carpets of all sorts, smooth or knotted	65 00

Tariff Number.	Classification.	Duty per 100 kilog.
		Fr. c.
	<i>Woollen and Worsted Tissues.</i>	
338	Tissues, woven and knitted stuffs, of wool or of other animal hair, mixed or not with cotton and other textiles—	
	1. Weighing more than 500 grammes per square metre—	
	(a.) Imitating "Bulgarian" woollen tissues, "Shayak" and "Aba"	150 00
	(b.) Other tissues weighing more than 500 grammes per square metre	200 00
	<i>Note.</i> —Tissues and stuffs in which the warp is entirely of cotton shall benefit by a reduction of 15 per cent.	
	2. Weighing from 250 to 500 grammes per square metre	275 00
	3. Weighing 250 grammes and less per square metre	250 00
	<i>Note.</i> —The 15 per cent. reduction on stuffs with cotton warps is not applicable to made-up woollen goods.	
	<i>Iron, Steel, and Manufactured Metal Goods.</i>	
452	Tin plates and sheet-iron, tinned, galvanized, or coated with zinc or lead	4 00
	Sheet-iron, coppered, polished or painted	8 00
468	Iron or cast-iron bedsteads, ordinary, painted in one colour, and even with ornaments in relief	10 00
469	Cast or wrought-iron bedsteads with ornaments, coloured, lacquered, with paintings, treated by "transfer process," hand-worked, bronzed, but not gilt or silvered	20 00
487	(a.) Sewing machines and knitting machines, as well as their parts and accessories	26 50
490	Agricultural machines and implements—	
	ex (b.) Machines for sowing, reaping, and mowing ...	Free.
	ex (b.) Machines for crushing, for cleaning grain, and harrows	5 00
	<i>Note to Nos. 489 to 492.</i> —Machinery imported into Bulgaria under the conditions prescribed by the Law of the 25th January, 1905, for the encouragement of national industries and commerce: Free.	
ex 192	Sheep dip	15 00

FINAL PROTOCOL.

On proceeding to sign the Commercial Convention concluded this day, the Undersigned have agreed as follows:—

*Ad ARTICLE I.**Customs on Sea or Danube Frontiers.*

No customs duties or other dues or charges shall be levied on the sea or Danube frontiers different from or higher than those which are levied on any of the land frontiers on similar articles.

*Ad ARTICLE III.**Exceptions to Free Exercise of Trade and Industry.*

The stipulations of Article III relative to the free exercise of any trade or industry shall not apply in Bulgaria to village tavern keepers, apothecaries, brokers, pedlars, and hawkers.

*Ad ARTICLE IV.**Bounties not to apply to National Industries except Sugar.*

It is understood that the term "bounty" mentioned in the second paragraph of this Article does not apply to the benefits which are accorded to national industries in Bulgaria by virtue of the Bulgarian Law of the 25th January (7th February), 1905, for the encouragement of national industries, the case of sugar excepted.

*Ad ARTICLE VI.**Octroi and Excise Duties.*

Articles of British origin or manufacture shall, on their entrance into Bulgaria, be subjected to the octroi and excise duties prescribed by the Law of the 31st January (13th February), 1905, on excise, and by the Law of the ^{20th January} ~~2nd February~~ 1900, on octroi, as modified by those of the 30th December, 1903 (12th January, 1904), and the 28th March (10th April), 1905.

The rates of these duties are given in the subjoined Table for the purpose of reference:—

TABLE of Articles subject to Excise Duty, in conformity with the Law of the 31st January (13th February), 1905.

No.	Articles dutiable.	Units.	Duties.
1	Native or foreign alcohol ... <i>Remark.</i> —Alcoholic strength is fixed by the alcoholometer of Gay-Lussac and at 15 degrees Celsius.	For each degree and decalitre	Fr. c. 0 10
2	Petroleum and other mineral oils for lighting purposes <i>Remark.</i> —All resins imported which contain petroleum or other mineral oils for lighting purposes are only taxed on the amount of petroleum or mineral oil which they contain. The specific gravity and flash-point (lower and higher degrees) of petroleum, as well as of all other mineral oils for lighting purposes subject to excise duty, will be determined by the Minister of Finance. Petroleum, benzine, and other mineral oils used by gas-motors in the industrial establishments of the country, or employed in the preparation of other objects, are exempted from excise duty. The Minister of Finance will fix the manner in which the control of such oils shall be effected, as well as the conditions under which the excise duties levied on them shall be refunded.	100 kilog. ...	5 00
3	Sugar of all descriptions and qualities; fruit and starch glucose; syrups of sugar and other similar products, whether native or foreign <i>Remark.</i> —Molasses are exempted from excise duty if they do not contain more than 55 per cent. of sugar, nor less than 26 per cent. of foreign matter, with the remainder water.	100 „ ...	20 00
4	Sweets of all kinds, imported from abroad: Bonbons, chocolate, halva (called tahin), rahat-loucoum, &c.	100 „ ...	40 00
5	(a.) All kinds of coffee ... (b.) Extracts of coffee, “Frank-ca’è,” chicory, cocoa in powder, in tablets, or in any other form; roasted barley malt	100 „ ... 100 „ ...	50 00 20 00
6	Foreign or native beer ...	100 litres ...	5 00

No.	Articles dutiable.	Units.	Duties.
7	Foreign spirits: Rum, cognac, bitters, absinthe, liqueurs of all kinds, slivovitza, mastic, &c., having an alcoholic strength up to 40 degrees Gay-Lussac at 15 degrees Celsius The same spirits, with an alcoholic strength of over 40 degrees, are taxed as alcohols, according to Article I.	100 litres ...	Fr. c. 40 00
8	Olive oil and substitutes thereof, used for food	100 kilog. ...	10 00
9	Tea	100 „ ...	100 00
10	(a.) Toilet soaps, perfumed	100 „ ...	100 00
<p data-bbox="226 573 669 618"><i>Remark.</i>—In this article are comprised all medicinal soaps.</p> <p data-bbox="200 643 669 688">(b.) Aromatic oils, essences, pomades, powders</p>			
11	Candles of stearine and spermaceti, fancy candles	100 „ ...	20 00
12	Playing cards, per dozen (twelve packs) ...	...	12 00
<p data-bbox="226 780 669 963"><i>Remark.</i>—Playing cards, whether imported or made in the country, on which the excise duty has been levied, must have the Customs' seal stamped on the "ace of diamonds" of each pack in the case of foreign cards, and the seal of the Excise officers in the case of native-made cards.</p>			
13	Preserved fish of all kinds	100 kilog. ...	50 00
14	Black caviar	100 „ ...	100 00
15	All kinds of preserved provisions	100 „ ...	50 00
16	Seltzer-water and lemonade	1 litre ...	0 04
17	Foreign wines—		
	(a.) In casks	100 litres ...	5 00
	(b.) In bottles or other receptacles—		
	1. Sparkling	100 „ ...	50 00
	2. Other kinds	100 „ ...	20 00
<p data-bbox="226 1214 669 1328"><i>Remark.</i>—Wines in casks containing more than 12 per cent. of alcohol in bulk are subject to an additional excise duty for every further percentage of alcohol at the rate of 1 fr. per 100 litres.</p> <p data-bbox="226 1328 669 1402">Medicinal wines in bottles, recognized as such by the Sanitary Board, are not exempted from excise duty.</p>			

COMPARATIVE Table of Octroi Dues, as established by the Law of 20th January, 1900 (2nd February, 1900), and 30th December, 1903 (12th January, 1904).

No.	Articles dutiable.	Unit of Measurement.	Dues according to the Law of 20th January, 1900.	Dues according to the Law of 30th December, 1903.
			Fr. c.	Fr. c.
<i>Octroi Dues on Native and Foreign Merchandize.</i>				
1	Alcohol: Eau-de-vie, rum, brandy, ay-Lussac, at a temperature of 15 degrees Celsius (12 degrees Réaumur).	1 litre, and per degree	0 00½	0 00¾
<i>Note.</i> —Alcohol employed for cooking purposes, for lighting, or in industries, is exempt from octroi dues if it be first denatured by mixture with any material which renders unfit for any other use.				
	Beer in barrels	1 litre ...	0 04	0 06
2	Wine in barrels	1 „ ...	0 04	0 06
3	Sugar and sweets : rahat lucoum, compotes, sweets, and every kind of sweetmeat	1 kilog. ...	0 04	0 06
4	Tobacco (cut), cigarettes, cigars, snuff—			
5	Extra quality	1 „ ...	1 00	1 50
	1st „	1 „ ...	0 50	0 75
	2nd „	1 „ ...	0 30	0 45
	3rd „	1 „ ...	0 10	0 15
<i>Note.</i> —Snuff is classed in the 2nd quality, and is taxed at 30 centimes the kilogramme.				
<i>Octroi Dues on solely Foreign Merchandize.</i>				
1	Wine of all kinds, in sealed bottles, containing ¾ litre	Per bottle	0 50	0 75
2	Liqueurs of all kinds: Rum, cognac, absinthe, vermouth, bitters, Curaçao, vanilla, Russian vodka, &c., in sealed bottles containing ¾ litre	„ „	0 30	0 45
3	Coffee and “ Frank-café ” ...	1 kilog. ...	0 16	0 24
4	Tea, either in packets or boxes ...	1 „ ...	0 80	1 20
5	Tea in chests	1 „ ...	0 20	0 30

No.	Articles dutiable.	Unit of Measurement.	Dues according to the Law of 20th January, 1900.	Dues according to the Law of 30th December, 1903.
	<i>Octroi Dues on solely Foreign Merchandize—(continued).</i>		Fr. c.	Fr. c.
6	Macaroni, vermicelli, ships' biscuits (in barrels or boxes), semolina, starch, starch powder, "Gher-schlé," sago, soap, "Arpakash," lemons, oranges, pomegranates, raisins, figs, dates, almonds, pistachio nuts, olive oil for cooking, tahin, aniseed, "Rézéné"	1 kilog. ...	0 08	0 12
7	Olives and roasted chick-peas, "Leblebi"	1 „ ...	0 04	0 06
8	Black caviar, dry caviar ...	1 „ ...	0 80	1 20
9	Oysters, cuttle-fish, caviar of pike, fish, marinated, dried, smoked	1 „ ...	0 16	0 24
10	Stearine and spermaceti candles ...	1 „ ...	0 08	0 12
11	Petroleum ...	1 „ ...	0 03	0 04½
12	Cheese: Swiss, Dutch, &c. ...	1 „ ...	0 32	0 48
13	Fresh fish ...	1 „ ...	0 04	0 06
14	All other foreign merchandize not specially mentioned above	<i>Ad valorem</i>	2 per cent.	3 per cent.
<p data-bbox="163 910 547 1098"><i>Observation.</i>—Letter (b) of paragraph 14 of Article 1 of the Law on Octroi is altered as follows: "All foreign merchandize not specially mentioned in the above Table is subjected to an octroi duty of 20 per cent. of the customs duty specified for such merchandize."</p> <p data-bbox="163 1098 547 1405"><i>Note.</i>—The above alteration of the Law will only enter into force on the date when the method of levying specific customs duties on the same merchandize shall be substituted for the <i>ad valorem</i> method, in conformity with the Law for the application of the General Customs Tariff. (Law sanctioning the alteration of letter (b), paragraph 14, of Article 1, of Octroi Law is confirmed by Princely Ukase, No. 55, of 23rd March, 1905.)</p>				

Ad ARTICLE XVIII.*Arbitration.*

As regards the procedure to be followed in the event of arbitration taking place in accordance with the provisions of Article XVIII, the Contracting Parties agree as follows:—

In the first case of arbitration the Arbitral Tribunal shall sit in the territory of the defendant Party, in the second case in the territory of the other Contracting Party, and so on in succession in the one or the other territory. The Party on whose territory the Tribunal shall sit shall fix the place where it shall meet. It shall also undertake to provide the premises, the officials, and the attendants necessary for the proper working of the Tribunal.

The Umpire shall be President of the Tribunal. Decisions shall be taken by a majority of votes.

The Contracting Parties shall agree as each case arises, or once for all, respecting the procedure of the Court of Arbitration. In default of such an agreement the procedure shall be fixed by the Court itself. The procedure may be carried on by writing if neither of the Contracting Parties raises any objection.

As regards the summoning and hearing of witnesses and experts, the authorities of each of the Contracting Parties, on an application to be addressed by the Arbitral Tribunal to the Government concerned, shall afford the same assistance as would be given in the case of an application made on the part of the Civil Courts of their country.

The Contracting Parties shall agree as to the manner in which the expenses are to be divided, either in each particular case of arbitration or by an arrangement applicable to all cases alike. In default of such an agreement, Article LVII of The Hague Convention of the 29th July, 1899, shall be applied.

Bulgarian State Monopolies.

The stipulations of the present Convention shall not be invoked to prevent the establishment or maintenance of State monopolies in Bulgaria on gunpowder, tobacco, alcohol, petroleum, salt, matches, cigarette paper, and playing cards.

Right of British Shipping Companies to Hire Offices, &c.

British Shipping Companies, and the owners of British vessels, having a regular carrying service, shall be free to hire, at a proper price, within the zone in Bulgarian ports, for their offices, workshops, and storehouses, lands, even belonging to the State, should the latter not require them for other purposes. It is understood that the said storehouses shall be deemed to be bonded warehouses when once they satisfy legal requirements.

Accessory Dues.

It is understood that British ships and goods of British origin, whether imported by water or by land, shall not, after having paid the import duties, be subjected in Bulgaria to any additional tax or to further accessory taxes higher than those actually in force for native goods and ships, or for those of the most favoured foreign nation, namely:—

1. Sealing dues, namely:—

(a.) 30 centimes for each large lead seal, including the string, and

(b.) 5 centimes for each small lead seal, or ordinary seal, including the string.

2. A tax of 10 centimes is levied for each copy of the following printed papers delivered by the Customs:—

(a.) Manifest, or extract from a manifest.

(b.) Customs declaration.

(c.) Bills delivered for goods carried from one Bulgarian port to another Bulgarian port.

(d.) Transit bills.

(e.) Transport bills delivered by the Customs authorities at the port of entry for goods which have to be cleared at another customs-house.

3. A tax of 5 centimes is levied for each copy of a printed receipt delivered by the Customs.

A tax of 5 centimes is also levied for all other printed forms supplied by the Customs.

4. Stamp duty is levied in accordance with the provisions of the law in force on the subject.

Nevertheless, British ships entering or leaving several Bulgarian ports after having once paid stamp duty on the general manifests of arrival and departure in the first port, shall only pay a supplementary tax of 1 franc on the extracts from manifests on arrival, and of 50 centimes on the additional manifests of departure.

5. Taxes for inspection of cattle; taxes on sheep ("beglik").

6. Taxes for mercantile ships visiting Bulgarian ports, as approved by the 26th decision of the Council of Ministers taken in the sitting of the 28th February, 1904, Protocol No. 21.

7. Warehousing dues levied in conformity with Article 64 of the Bulgarian Customs Law.

8. Statistical dues:

(a.) 10 centimes for each parcel, with the exception of postal packages.

(b.) 15 centimes for every 1,000 kilog. of goods loaded in bulk.

(c.) 10 centimes per head of cattle.

9. A tax leviable only on such goods as are duty-free, of which the proceeds are reserved for the construction and improvement of Bulgarian ports and harbours. The rate of this tax shall not exceed $\frac{1}{2}$ per cent. *ad valorem*.

The present Protocol shall be deemed approved by the Contracting Powers, without special ratification, by the sole fact of the exchange of the ratifications of the Convention of Commerce, Customs, and Navigation.

Done in duplicate at Sofia, this 9th day of December, 1905.

(L.S.) to GEORGE W. BUCHANAN.

(L.S.) to STANCIOFF.

Taxes to be levied on Merchant Vessels frequenting Bulgarian Ports.

I. NAVIGATION DUES TO BE LEVIED IN ALL PORTS.

§ 1.—*Charge for flying the Bulgarian flag.*

EVERY ship built in Bulgaria or abroad shall pay, to obtain the right of flying the Bulgarian flag:

(a.)	Vessels of less than 5 tons	...	...	2 francs.
(b.)	„ from 5 to 50	„	...	10 „
(c.)	„ „ 50 „ 100	„	...	20 „
(d.)	„ „ 100 „ 200	„	...	35 „
(e.)	„ „ 200 „ 500	„	...	45 „
(f.)	„ „ of 500 tons or more	...	...	60 „

For this purpose the ship must be registered at the offices of the Administration of any Bulgarian port, where a certificate of nationality bearing a registration stamp of one franc will be supplied.

§ 2.—*Charge for annual license for ships flying Bulgarian flag.*

Owners of ships flying the Bulgarian flag pay the following charge for an annual license:

(a.)	For vessels of less than 5 tons	...	5 francs.
(b.)	„ „ from 5 to 50	„	10 „
(c.)	„ „ „ 50 „ 100	„	20 „
(d.)	„ „ „ 100 „ 200	„	40 „
(e.)	„ „ „ 200 „ 500	„	50 „
(f.)	„ „ „ 500 tons or more	...	70 „

Note.—Small fishing-vessels are exempt from the payment of these dues, since they pay fishing dues.

Boats and small craft belonging to the various athletic societies are also exempt from this payment.

§ 3.—Charge for “congé.”

Vessels flying the Bulgarian flag cannot leave their port of registration without a “congé,” which is supplied by the port Administration; the charge for “congés” is fixed as follows:

(a.)	For vessels from 10 to 50 tons	...	2 francs.
(b.)	“ “ “ 50 “ 100 “	...	4 “
(c.)	“ “ “ 100 “ 500 “	...	6 “
(d.)	“ “ “ 500 and more “	...	10 “

The “congé” bears a stamp of 1 franc and is valid for one year and for the whole duration of the voyage, if the latter lasts for more than one year. The “congés” must be *visés* in all Bulgarian ports where the vessels touch by the port authorities, and in foreign ports by the Bulgarian diplomatic or commercial agents, if there are any, and a fee of 2 francs paid.

Coasting vessels of less than 10 tons flying the Bulgarian flag cannot leave their port of registration without procuring a coasting certificate from the offices of the port of registration.

The charge for the coasting certificate, which bears a stamp of 50 centimes, is fixed at 1 franc.

The coasting certificates are *visés* in all Bulgarian ports where the coasting vessels touch without further taxes.

§ 4.—Charge for the crew list.

Vessels under the Bulgarian flag cannot leave their port of registration without procuring a register of the crew, called a “crew-list” (*roûle*), from the port Administration. The charge levied for the crew-list is fixed at 2 francs for coasting vessels and at 5 francs for all other craft.

The crew-list is valid for one year and for the whole duration of the voyage, if the latter lasts for more than one year.

§ 5.—Charge for delivering a statement of damages caused to vessels.

When the Bulgarian port authorities are requested to deliver a statement of damages caused to vessels which are in Bulgarian ports, a charge of 20 centimes per ton shall be levied, irrespective of the nature or importance of the damages.

Note.—The necessary amount for these statements must be deposited previously in the port office by the captain of the vessel or by the representatives of the insurance companies. In addition to this charge, such remuneration as may be due to them must be paid to the officials and to the experts who draw up the statement.

§ 6.—*Charge for loading and unloading ballast.*

All vessels loading or unloading ballast in Bulgarian ports at the places (parcs) on shore specially fixed for the purpose, shall pay the due leviable in each port; in the ports of Bourgas and Varna, the due is fixed at 1 franc per cubic metre of ballast. If the ballast is transhipped from one vessel to another, half the due will be levied.

§ 7. *Lighthouse Dues.*

Light and lighthouse dues are collected by the Company of Ottoman Lighthouses on the basis of a Convention concluded in 1854 between the said Company and the Ottoman Government.

§ 8. *Sanitary Dues.*

These dues are collected at the present time by the Superior Medical Council at Constantinople, according to the Paris Convention of 1853.

Until this question is settled, the following taxes will be levied by the sanitary authorities in the ports of Bulgaria* according to the regulations of the maritime sanitary police.

Each new bill of health, delivered by the Bulgarian quarantine authorities, shall bear a registration stamp:

(a.)	For vessels of	5 to 100 tons	...	...	0·50 fr.
(b.)	"	" 100 to 500 "	...	...	1·00 "
(c.)	"	" 500 to 1,000 "	...	...	1·00 "
(d.)	"	" 1,000 and above	...	...	2·00 "

For the sanitary guard placed on board of a ship in quarantine a charge of 3 frs. a day will be made in the case of sailing vessels, and of 5 frs. for steamers.

The charges for disinfecting merchandize and luggage will be as follows:

(a.) One franc will be charged for each disinfecting stove.

(b.) For the disinfection with chemical products the only charge made will be for the value of the chemical products employed, according to the tariff for drugs, without any charge being made for services.

No charge is made for the visa to a bill of health.

All war-ships are exempt from the payment of the tax for a bill of health.

II. PORT DUES LEVIABLE ON MERCHANT-VESSELS FREQUENTING BULGARIAN PORTS WHERE NO SPECIAL ARTIFICIAL WORKS HAVE BEEN CONSTRUCTED.

§ 1.—In all Bulgarian ports where no special artificial works

* In the Danubian ports these taxes will only be levied when a quarantine has been declared.

have as yet been constructed, the following port dues will be levied :

(a.)	On ships of less than 5 tons	...	...	1·00 fr.
(b.)	„ „ 5 to 50	„	...	2·50 „
(c.)	„ „ 50 to 100	„	...	5·00 „
(d.)	„ „ 100 to 200	„	...	10·00 „
(e.)	„ „ 200 to 400	„	...	15·00 „
(f.)	„ „ 400 to 600	„	...	20·00 „
(g.)	„ „ 600 and above	„	...	25·00 „
(h.)	„ rafts or launches	...	...	2·00 „

§ 2. The above-mentioned charges are to be reduced by one-half in the case of :

(a.) Ships remaining in those ports for less than 8 days without loading or unloading ;

(b.) Ships coming directly from another Bulgarian port where they have already paid the above-mentioned dues.

Note.—Ships which, at the end of these 8 days, begin to load or unload or which remain in the port for more than 8 days without engaging in any operation shall not be entitled to the reduction mentioned under letter (a).

Ships visiting several Bulgarian ports, but touching at a foreign port on their way, shall not be entitled to the reduction mentioned under the letter (b).

§ 3. The following are exempt from any of the above-mentioned payments :

(a.) Small vessels engaged in the coasting trade, of less than 10 tons, as well as ships belonging to the same Company which regularly frequent Bulgarian ports at least twice a month according to a fixed itinerary, provided that these ports do not possess special artificial works ;

(b.) Ships which are driven by bad weather or damage into places where it is not allowed to load or unload.

III. PORT DUES LEVIED IN THE PORTS OF VARNA AND BOURGAS.*

§ 1.—*Entrance and Clearance Dues.*

Captains of vessels, on the basis of the declarations made by them on arriving at or when leaving the port, receive a permit of entrance or of clearance, for which 2 francs are charged. The permits must bear a stamp for 50 centimes.

Note.—Sailing vessels flying the Bulgarian flag engaged in the coasting trade with a tonnage of less than 50 tons are exempted from the obligation of obtaining permits of entrance or clearance.

* Until the port of Varna is officially opened to commerce, vessels touching there will only be charged the pilotage dues specified in § 2 and the ship dues specified in § 4.

§ 2.—*Pilotage Dues.*

Every vessel entering the port, without distinction of tonnage or nationality, is charged the following pilot dues:

(a.) Vessels from 50 to 100 tons ...	5 francs.
(b.) " " 100 to 500 " ...	10 "
(c.) " " 500 to 1,000 " ...	15 "
(d.) " " 1,000 and above ...	20 "

Note.—The following are exempted from pilotage dues:

- (a.) Vessels of less than 50 tons measurement;
- (b.) Coasting vessels, the captains of which are furnished with a pilot's certificate, issued by the port authorities;
- (c.) Sailing vessels under towage, which pay towing dues.

§ 3.—*Towing Dues.*

Sailing vessels entering the port are charged the following towage dues:

(a.) Vessels of 25 to 100 tons ...	10 francs.
(b.) " 100 to 300 " ...	15 "
(c.) " 300 to 500 " ...	20 "
(d.) " 500 and above ...	25 "

Note I.—Sailing vessels flying the Bulgarian flag engaged in the coasting trade are charged half these dues.

Note II.—Small sailing craft flying the Bulgarian flag engaged in the coasting trade, of less than 25 tons, which can enter the port by means of oars, are exempted from towing dues.

§ 4.—*Ship Dues.*

All trading vessels of Bulgarian or of foreign nationality arriving at the ports of Bourgas or Varna and obtaining pratique, whether laden or in ballast, pay the following ship dues:

	Fr.
(a.) For the first 200 tons ...	0·20 per ton.
(b.) " following 300 tons ...	0·15 " "
(c.) " " 500 " ...	0·10 " "
(d.) " " 1,000 " and upwards ...	0·05 " "

Steamers can remain in the port eight, and sailing vessels fifteen days. On the expiration of this period the dues will have to be paid a second time, unless vessels have been unable to begin their operations because of want of berth room or other reasons of *force majeure*.

Note I.—The above-mentioned dues are reduced by half in favour of vessels belonging to the same Company, calling regularly at least twice a-month at the port of Bourgas or Varna on the basis of fixed itineraries.

Note II.—The following are exempted from payment of ship dues:

(a.) Small sailing craft of less than 100 tons, of Bulgarian nationality, engaged in the coasting trade;

(b.) Pleasure boats, war-vessels, and vessels belonging to the "Red Cross" Society in war time;

(c.) Small fishing-boats.

(d.) Vessels coming to the outer port to escape bad weather, or in consequence of damages, or to receive communications from their agents.

§ 5.—*Tariff for Passengers.*

Captains of vessels, on arriving at or leaving the port, must hand to the Port Officer a manifest showing the number of passengers and the class in which they are travelling; the captains or the shipping agents shall collect from the passengers and pay to the port authorities the following taxes:

For 1st class passengers	...	...	...	1.00 franc.
" 2nd " "	"	"	...	0.50 "
" 3rd " "	"	"	...	0.20 "

Children up to the age of 10 years are exempted from these taxes.

No tax shall be levied for the baggage which passengers carry with them.

§ 6.—*Dues on Merchandise.*

These dues shall be paid by the consignees or the exporters of merchandise, and shall be levied by the Customs authorities.

1. *Tariff for Live Stock and Poultry.*

Large and small live-stock and poultry exported abroad or imported into the country are subject to the following charges:

(a.) Horses, oxen, buffaloes, cows, mules	...per head	1.50 franc.
(b.) Donkeys, colts, pigs, calves	...	0.80 "
(c.) Sheep, goats, lambs, kids	...	0.15 "
(d.) Per crate of poultry	...	0.50 "

2. *Tariff for Carriages and Rolling-stock.*

Carriages and rolling-stock exported from or imported into the country pay:

(a.) Passenger carriage	...	...	...	25.00 francs.
(b.) Goods waggon	...	...	...	15.00 "
(c.) Tramcar	...	...	...	15.00 "
(d.) Ordinary cab	...	...	...	10.00 "
(e.) Carriage	...	...	...	2.00 "
(f.) Waggon	...	...	...	1.00 "
(g.) Barrow	...	...	...	0.20 "

3.—*Tariff for Goods.*

Goods shipped or landed in the port are classified under four groups; the dues for each group are fixed, per 1,000 kilog., as follows:

(a.) *First group, 0.50 fr.*

This group comprises: ordinary stone, gravel, sand, and lime; wood for fuel; charcoal; compressed straw and hay; native-made bricks and tiles; manures; clays of various kinds (except clay for colouring), and ores.

(b.) *Second group, 1 fr.*

This group comprises: cereals and oil seeds: barley, rye, wheat, oats, maize, colza, rice, millet, peas, potatoes, haricot beans, bran, &c.; animal products: meat, butter, grease, cheese, "kashkaval" (native cheese), salted meat, eggs, &c.; window glass; roughly-made iron articles; salt, petroleum, chalk, plaster, cement, hydraulic lime, coal, foreign-made bricks and tiles.

(c.) *Third group, 1.50 fr.*

This group comprises: Colonial produce, sugar; articles made of flour; raw hides and skins; wood for building (except walnut); various vegetable and mineral oils; various seeds, hemp, &c.; fresh and dried fruit; miscellaneous iron wares.

(d.) *Fourth group, 2 francs.*

This group comprises: all manufactured articles, haberdashery, trimmings, hardware, &c.; glass and porcelain ware.

Remark I.—Goods not mentioned in particular or in general in the above Tables will be subjected to the payment of the dues specified for the kind of merchandize they most resemble, their price, weight, and volume being taken into consideration.

Remark II.—Goods which are transhipped in the port from one vessel to another or from a coasting vessel to another ship will only pay half the dues specified.

Remark III.—Goods discharged from or shipped on to vessels not at the quay but by means of lighters are subjected to the payment of only half the dues specified.

Remark IV.—Should the weight or measurement of the goods upon which dues are to be levied be inscribed in the ship's manifest in weights and measures other than those prestribed,

these will be converted into the weights and measures prescribed according to a Table prepared and published by the Administration of the port.

Remark V.—Ordinary stone, gravel, sand, lime, wood for fuel, charcoal, bricks, tiles, fish, when brought into the port of Bourgas by boats belonging to neighbouring ports and discharged at the western end of the port, are exempted from the payment of the dues on merchandise.

§ 7.—*Diving dues.*

A due of 10 francs for each working hour is levied for diving, without reckoning the charges of the diver himself and the sailors.

General remarks.

1. Dues are levied on the net tonnage of vessels measured according to the Moorsom system (1 ton measurement = 2·83 cubic metres).

2. Dues and taxes up to 20 francs are paid in silver, and above that sum in gold.

The dues fixed by the circular ordinance of the Ministry of Finances of April 3/15, 1885, No. 8752, addressed to the Directors of customs and ports, are abrogated.

Declaration.

On proceeding to the signature of the Convention concluded this day, the Undersigned have agreed as follows:—

1. In the case of civil or commercial suits between British subjects residing in Bulgaria and Bulgarian subjects, the summons to appear, as well as all the other documents and judicial papers, shall be served on British subjects in accordance with the procedure prescribed by Bulgarian Law, without the intervention of the British Consular authorities.

2. In cases of commercial bankruptcy the commercial insolvency of British subjects residing in Bulgaria shall be pronounced by the Bulgarian Courts, and the full and complete liquidation of the bankruptcy shall be made by those Courts without the intervention of the British Consular authorities.

3. British subjects in Bulgaria and Bulgarian subjects in the United Kingdom of Great Britain and Ireland shall have free and ready access to the courts of justice for the prosecution and defence of their rights, and shall enjoy in this respect all the rights and immunities of native subjects. Like them they shall be free to employ in all cases advocates and agents of every description who are authorized by the laws of the country.

[100]

It is understood that the adhesion of His Britannic Majesty's Government to the above stipulations is given on the express condition that they shall not enter into force until the Governments of Austria-Hungary, France, Germany, Italy, and Russia shall have concluded analogous Agreements with Bulgaria, and that British subjects shall not thereby be placed on a less favourable footing than the subjects or citizens of the most favoured nation.

(L.S.) GEORGE W. BUCHANAN.
(L.S.) STANCIOFF.

Sofia, December 9, 1905.

ANNEXES.

*Sofia, le 26 Novembre (9 Décembre),
1905.*

Monsieur l'Agent,

EN me référant aux déclarations verbales que j'ai eu l'honneur de vous faire au sujet de l'Article VII de la Convention de Commerce et de Navigation, je m'empresse de porter à votre connaissance que les dispositions de la Loi Bulgare du 26 Mars (8 Avril), 1905, sur les voyageurs de commerce concernant la protection du chef de la maison commerciale contre les malversations de ses voyageurs de commerce restent facultatives, et ne peuvent être appliquées aux voyageurs de commerce représentant des maisons Britanniques que dans le cas où une demande serait faite au nom de la maison dont dépend le voyageur de commerce.

Je saisis, &c.
(Signé) STANCIOFF.

Sir George Buchanan.

Sir,

Sofia, December 9, 1905.

I HAVE the honour to acknowledge the receipt of the note in which you were good enough to inform me, with reference to Article VII of the Convention of Commerce and Navigation, that the stipulations of the Bulgarian Law of the 26th March (8th April), 1905, on commercial travellers, concerning the protection of the head of the commercial house against dishonest practices on the part of his commercial travellers, remain optional, and can only be applied to commercial travellers representing British firms in the event of an application for such protection being made in the name of the firm represented by the commercial traveller.

In taking act of this communication, I avail, &c.

(Signed) GEORGE W. BUCHANAN.

Monsieur Stancioff.

Sir, *Sofia, December 9, 1905.*

I HAD the honour, in the course of our negotiations, to inform you that His Majesty's Government were unable to accept the text of Article XIV of the draft Bulgarian Convention relative to tonnage dues in British and Bulgarian ports, and I take this opportunity to offer you the following explanations on the subject:—

The harbours in the United Kingdom, except in a few cases, are not under the control of the State, and the powers of the various harbour authorities are regulated under special Acts of Parliament. Thus, although, as a matter of fact, the provisions of the Article in question do not conflict with the practice observed in the majority of cases, it is obviously impossible for His Majesty's Government to bind the various harbour authorities by Treaty with regard to all matters covered by the terms of the Article.

I avail myself of this opportunity to renew to you, Sir, the assurance of my high consideration.

(Signed) GEORGE W. BUCHANAN.

Monsieur Stancioff.

Sofia, 26 Novembre (9 Décembre), 1905.

Monsieur l'Agent,

J'AI l'honneur de vous accuser réception de la note en date d'aujourd'hui, par laquelle vous avez bien voulu m'expliquer pour quels motifs le Gouvernement de Sa Majesté Britannique n'a pas pu admettre l'insertion dans la Convention de Commerce entre la Bulgarie et le Royaume-Uni d'un Article basé sur Article XIV du projet de Traité Bulgare.

En prenant acte de cette communication, je saisis cette occasion pour vous réitérer, Monsieur l'Agent, l'assurance de ma haute considération.

(Signé) STANCIOFF.

Sir George Buchanan.

Sir, *Sofia, December 9, 1905.*

HIS Majesty's Government being desirous that the system of local bond at present in force, under which goods, on their arrival in Bulgaria, may be warehoused and withdrawn piecemeal on payment only of the duty on the portion withdrawn, should be maintained, I have the honour to request you to be so good as to give me an assurance to this effect.

I avail, &c.

(Signed) GEORGE W. BUCHANAN.

Monsieur Stancioff.

Sofia, le 26 Novembre (9 Décembre),
1905.

Monsieur l'Agent,

EN réponse à votre note de ce jour, j'ai l'honneur de vous communiquer que les marchandises Britanniques, à leur arrivée en Bulgarie, pourront être emmagasinées et dédouanées au fur et à mesure selon les prescriptions des Articles 117, 118, et 119 de la Loi Bulgare sur les Douanes du 8 (20) Janvier, 1885, modifiée le 5 (17) Janvier, 1899.

Je saisis, &c.

(Signé) STANCIOFF.

Sir George Buchanan.

Customs Law.

ARTICLE CXVII.

Foreign goods which are imported in great quantities may, on application from the owners, be stored in the bonded warehouses established, but only in cases where the dues to be paid to the Customs authorities are not inferior in amount to 4,000 fr. Such bonded warehouses, where needful, shall only be established in commercial ports, and with the permission of the Minister of Finance.

ARTICLE CXVIII.

Goods can be stored in the bonded warehouses on the condition that they are re-exported from the country within the prescribed period, or that the requisite dues be paid upon them should they be taken out of bond for disposal in the country itself.

Goods imported into Bulgaria by railroad, and carried to a port where there is a bonded warehouse, can there be placed in bond in the same manner as if they had come by sea.

ARTICLE CXIX.

Only those goods can be placed in bond which are in good condition and, in general, all such as are not perishable or inflammable.

FRANCE.

No. 2.

AGREEMENT BETWEEN GREAT BRITAIN AND FRANCE RESPECTING
COMMERCIAL TRAVELLERS' SAMPLES.

*Signed at Paris, October 23, 1907.**

THE Government of His Britannic Majesty and the Government of the French Republic, being desirous of facilitating the accomplishment of the formalities provided by Article 6 of the Convention of Commerce and Navigation of February 28th, 1882, in regard to patterns or samples liable to duty introduced from one of the two contracting Countries into the other, have for this purpose agreed reciprocally as follows :

I. The stamp or seal intended to ensure the identity of samples may be affixed as an exceptional measure to receptacles in direct contact with the articles which they contain, if the Customs Authorities at the port of entry consider that this method of procedure affords full guarantee.

II. The official marks, stamps, or seals affixed for the purpose of guaranteeing the identity of patterns or samples exported from one of the two Countries and intended to be reimported into that Country, as well as the list of samples containing a complete description thereof, drawn up and officially certified by the competent Authority, shall be reciprocally recognized, that is to say that the marks affixed and the list drawn up by the Customs Authorities of the Country of exportation shall serve also in the other territory to prove the identity of the articles and to establish their character as samples.

III. On their importation the articles thus marked and described shall only be subjected to a summary verification, for the purpose of establishing their identity, when they are enumerated on the descriptive list under denominations admitted by the Tariff of the Country of entry, in the language and in the weights and measures of that Country.

* Signed also in French.

IV. The Customs Authorities of either Country may further affix a supplementary mark to such samples in all cases where they may consider this precaution necessary.

V. Reservation is made in all cases of the accomplishment where necessary of the formalities in regard to the assay of wares of gold and silver.

In witness whereof, the Undersigned, duly authorised to this effect, have signed the present Agreement and have affixed thereto their seals.

Done at Paris, in duplicate, the 23rd October, 1907.

(L.S.) FRANCIS BERTIE.
(L.S.) PICHON.

GENERAL.

No. 3.

ACCESSION OF THE COMMONWEALTH OF AUSTRALIA TO THE INDUSTRIAL PROPERTY CONVENTION OF MARCH 20, 1883, AS MODIFIED BY THE ADDITIONAL ACT OF DECEMBER 14, 1900.

August 5, 1907.

(No. 1.)

M. Probst to Sir Edward Grey.—(Received July 9.)

*Légation de Suisse, Londres,
le 5 Juillet, 1907.*

M. le Secrétaire d'État,

PAR note en date du 28 Juin dernier son Excellence le Ministre de Sa Majesté Britannique à Berne a notifié à mon Gouvernement l'accession de la Fédération Australienne à la Convention Internationale du 20 Mars, 1883, pour la protection de la propriété industrielle, telle qu'elle a été modifiée par l'Acte Additionnel du 14 Décembre, 1900.

Aucune date spéciale n'ayant été indiquée pour l'entrée en vigueur de la Convention en ce qui concerne la Fédération Australienne, il y a lieu d'appliquer les dispositions de l'Article XVI révisé de la Convention, aux termes duquel cette dernière produit ses effets un mois après la notification faite par le Conseil Fédéral Suisse aux autres États Unionistes. Il en résulte que la Convention entrera en vigueur quant à la Fédération Australienne le 5 Août prochain.

En vous demandant de vouloir bien consentir à me donner acte de ce qui précède, je vous prie, &c.

(Signé) PROBST.

(No. 2.)

Sir Edward Grey to M. Probst.

Sir, *Foreign Office, July 15, 1907.*

I HAVE the honour to acknowledge the receipt of your note of the 5th instant respecting the accession of the Commonwealth

of Australia to the International Convention of 20th March, 1883, for the protection of industrial property, as modified by the Additional Act of 14th December, 1900.

I have not failed to note that, in accordance with Article XVI of the revised Convention, the accession of the Commonwealth of Australia will take effect one month after the date of its notification by the Swiss Federal Council to the other States parties to the Union, viz., on the 5th August next.

In thanking you for this communication, I have &c.

(Signed) E. GREY.

JAPAN.

No. 4.

NATAL and NEWFOUNDLAND have acceded to the Treaty of Commerce and Navigation between Great Britain and Japan, signed in London on the 16th July, 1894.

NICARAGUA.

No. 5.

LIST OF BRITISH COLONIES, &c., WHICH HAVE ACCEDED TO THE
TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN
GREAT BRITAIN AND NICARAGUA, SIGNED AT MANAGUA,
JULY 28, 1905.*

*(The text of the Treaty will be found on p. 629 of this work. The
period for notification of Accessions of British Colonies, &c.,
expired August 24, 1907.)*

British Honduras.

Gambia.

Hong Kong.

Jamaica (with the Turks and Caicos Islands
and the Cayman Islands).

Leeward Islands.

New Zealand.

Northern Nigeria.

Seychelles.

Sierra Leone.

Southern Nigeria.

Straits Settlements.

Windward Islands.

* Laid before Parliament on November 27, 1907.

UNITED STATES.

No. 6.

AGREEMENT BETWEEN GREAT BRITAIN AND THE UNITED STATES
RESPECTING (1) COMMERCIAL TRAVELLERS' SAMPLES ENTERING
THE UNITED KINGDOM, (2) IMPORT DUTIES ON BRITISH
WORKS OF ART ENTERING THE UNITED STATES.

Signed at London, November 19, 1907.

THE Government of His Britannic Majesty and the Government of the United States of America, being desirous of facilitating and extending the commercial relations existing between their respective countries, but without prejudice to the views held by each of them as to the interpretation of the "most-favoured-nation" Article of the Convention of Commerce between the two countries signed at London on the 3rd July, 1815, mutually agree as follows:—

1. In order to facilitate the clearance through the Customs Department of the United Kingdom of samples of dutiable goods brought into the territory of the United Kingdom by commercial travellers of the United States of America, such samples being for use as models or patterns for the purpose of obtaining orders, and not for sale, His Majesty's Government agrees that the marks, stamps, or seals placed upon such samples by the Customs authorities of the United States of America at the time of exportation, and the officially attested list of such samples, containing a full description thereof issued by the proper authority, shall be accepted by the Customs officials of the United Kingdom as establishing their character as samples, and exempting them from inspection on importation, except so far as may be necessary to establish that the samples produced are those enumerated on the list. The Customs authorities of the United Kingdom may, however, affix a supplementary mark to such samples in special cases where they may think this precaution necessary.

2. The Government of the United States of America agrees to extend to the United Kingdom the special reduction of duty on paintings in oil or water colours, pastels, pen and ink drawings, and statuary, being the product of the industry of the United

Kingdom, authorized under section 3 of the Tariff Act of the United States, approved the 24th July, 1897.

3. This Agreement shall continue in force until six months from the date when either party shall notify the other of its intention to terminate it.

Done in duplicate at London, the 19th day of November, 1907.

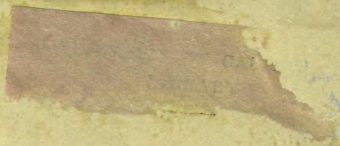
(LS.) E. GREY.
(LS.) WHITELAW REID.



LONDON:

PRINTED AT THE FOREIGN OFFICE,

BY HARRISON AND SONS, PRINTERS IN ORDINARY TO HIS MAJESTY.



YC 34967



